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SECRET

MISC 101(84).....Series

CABINET

MINISTERIAL GROUP ON COAL

MINUTES OF MEETING

	No. of Meeting	Date of Meeting	Papers Considered	Subjects Discussed
	1st	16.3.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	2nd	19.3.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	3rd	20.3.84		1. POLICING: FINANCIAL ARRANGEMENTS 2. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	4th	26.3.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	5th	28.3.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. COSTS OF POLICING THE DISPUTE
	6th	2.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	7th	4.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	8th	9.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	Corri	9.4.84		
	9th	11.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	Corri	13.4.84		
	10th	13.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	11th	16.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	12th	25.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	13th	30.4.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	14th	8.5.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	Corri	9.5.84		
	15th	14.5.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	16th	21.5.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	17th	30.5.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	18th	5.6.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	19th	12.6.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	20th	18.6.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	21st	20.6.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY

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	No. of Meeting	Date of Meeting	Papers Considered	Subjects Discussed
	22nd	27.6.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	23rd	2.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	24th	4.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	25th	9.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	26th	11.7.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS INDUSTRY
	27th	16.7.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS INDUSTRY
	28th	18.7.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS INDUSTRY
	29th	23.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	30th	25.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	31st	30.7.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	32nd	8.8.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	33rd	31.8.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	34th	28.8.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	35th Corri	30.8.84 31.8.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	36th	4.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS 3. REQEUST FOR THE RECALL OF PARLIAMENT
	37th	7.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	38th	10.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	39th Corri	12.9.84 14.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	40th	17.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY 2. INDUSTRIAL ACTION IN THE DOCKS
	41st	25.9.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

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	No. of Meeting	Date of Meeting	Papers Considered	Subjects Discussed
	42nd	27.9.84		1. INDUSTRIAL DISPUTE IN THE COAL INDUSTRY
	43rd	3.10.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	44th Corri	8.10.84 9.10.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	45th	23.10.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	46th	29.10.84		1. INDUSTRIAL ACTION IN THE COAL INDUSTRY
	47th	13.11.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	48th Corri	20.11.84 21.11.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	49th	26.11.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	50th	10.12.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY
	51st	18.12.84		INDUSTRIAL ACTION IN THE COAL INDUSTRY

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MISC 101(84) 1st Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held
at 10 Downing Street on
FRIDAY 16 MARCH 1984 at 9.15 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for
Trade and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr Allan Stewart MP
Parliamentary Under-Secretary
of State, Scottish Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET

and Personal

SECRET

and Personal

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that power station endurance stood at 28 weeks. He had instructed his officials to take all steps possible to enhance endurance both immediately and for the Autumn. There were indications of opposition to the strike from a number of coal fields outside Yorkshire. Ballots would be completed by the end of that day in Nottinghamshire, Derbyshire and Lancashire, and the results known in the course of the weekend. The spread by the National Coal Board (NCB) of information about recently improved redundancy terms had contributed considerably to reducing support for the strike. The Nottinghamshire ballot, the result of which was due on the following day, was likely to be particularly crucial to the course of the strike. Meanwhile, flying pickets had moved overnight into Staffordshire, Warwickshire and Leicestershire in an attempt to close the 20-30 pits which had been working normally there on the previous day. The Chairman of the NCB had that morning applied to the High Court for a hearing on the following Monday, when he would be seeking the imposition of a fine on the Area Executive of the Yorkshire NUM or sequestration of its assets following the breach of the injunction already obtained by the Board. The Board was also seeking to gather evidence necessary to seek injunctions against other NUM areas responsible for unlawful picketing.

THE HOME SECRETARY reported that even where picketing had been heavy overnight those who wished to work had been able to do so that morning. Following the meeting, he would be visiting the Reporting Centre at Scotland Yard, where he would be receiving fuller information, including further details of the extent to which the police had been making use of powers available to them to stop vehicles carrying men to unlawful pickets.

THE SECRETARY OF STATE FOR TRANSPORT reported that the previous day about three-quarters of coal trains from pits to power stations had been stopped by the refusal of railmen to cross NUM picket lines. A train delivering oil had also been stopped. The British Rail Board were inclined to take a firm line and men who had refused to undertake the deliveries were not being paid.

SECRET

and Personal

In discussion, the following were the main points made -

- a. The Government's aims would best be served by votes against strike action in the ballots which were still to take place. The Chairman of the NCB could be relied on to handle the dispute in the manner most conducive to this result. Meanwhile, the dispute was essentially internal to the NUM, rather than between the NUM and either the Government or the NCB. It would be right for the Government to confine any public statements to questions of law and order and, if possible, to keep them in a low key.
- b. There had already been reports of some limited picketing of NCB customers. It was necessary to consider ways of ensuring as far as possible that those affected by picketing both in the public and private sectors had access to advice about their legal rights which would enable them to take action to safeguard their interests.
- c. It might be disadvantageous at present for the British Rail Board to take a strong line with railmen unwilling to cross miners' picket lines if that increased the likelihood that the rail unions might actively support a continuing miners' strike.

THE PRIME MINISTER, summing up the discussion, said that the Government's immediate objective was a favourable outcome from the ballots which were still taking place. Thereafter, the objective should be that those who had voted against strike action should not be prevented by picketing from going to work. This would require the continuation, particularly where ballots had gone against the strike, of the efforts already being made by the Chief Constables to cope with heavy picketing; and the stepping-up of action to prevent pickets from assembling in numbers likely to intimidate those wishing to exercise their right to work. It was likely also to require further action by employers in the courts. The Attorney General would be making that day a written statement on the legal position. He should make this available together with any supplementary material he might consider appropriate following consultation with the Secretary of State for Employment, to public sector employers through sponsoring Ministers. The material should also be made available discreetly by the Secretary of State for Employment to the Confederation of British Industry and other representative bodies in a position to disseminate it to private employers. The Group had noted the position regarding power station endurance,

SECRET

and Personal

including plans to make full use of the Scottish interconnector and the likely need for decisions to be taken in due course on increasing oilburn if the strike continued. In the meantime, the handling of the dispute itself should be left to the Chairman of the NCB: public pronouncements by the Government should be confined to questions of law and order and should be in a low key. The present assessment was that no Minister should seek to appear over the weekend on radio or television in connection with the dispute. The following Monday morning was likely to be a crucial point in the strike. The Group should meet again then under the chairmanship of the Lord President of the Council.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Attorney General, in consultation with the Secretary of State for Employment, to arrange for information on the legal position to be made available to employers on the basis indicated by the Prime Minister in her summing up of their discussion.

Cabinet Office

16 March 1984

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MISC 101(84) 2nd Meeting

COPY NO 17

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in Conference
Room A, Cabinet Office, Whitehall on
MONDAY 19 MARCH 1984 at 11.15 am

PRESENT

The Rt Hon Viscount Whitelaw
Lord President of the Council
(In the Chair)

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET

AND PERSONAL

SECRET

AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY reported that 44 pits were working that morning, compared with 11 the previous Friday. In particular, all pits in Nottinghamshire would be working by later that day. In the circumstances, the Chairman of the National Coal Board (NCB) saw tactical advantage in reducing tension and intended to seek an adjournment that afternoon on the NCB's application to the High Court following the breach of its injunction against the Yorkshire National Union of Mineworkers (NUM) obtained the previous week. He understood that the NUM had not intended to be represented at the hearing: they had said publicly that they would continue to picket and that any fine imposed would not be paid. The NCB had not been able to assemble the evidence necessary to take similar action in the Courts against the Kent and South Wales NUM. There was now pressure within the NUM for a meeting of the National Executive within the next few days to consider calling a national ballot. It seemed possible that there could be a small majority on the Executive in favour of a ballot, which, however, was unlikely to take place any earlier than Thursday of the following week. It was hard to predict the result. There had been some swing of opinion among NUM members towards a strike since ballots had been held in 1982. Voting for and against a strike might well be evenly balanced. It was accordingly essential to continue to handle the dispute carefully: for that reason he considered at present that increasing oilburn, which would be highly visible and might be seen as provocative, should not be put in hand before a ballot. Meanwhile, the NCB was marshalling evidence to put before miners in any pre-ballot campaign.

THE HOME SECRETARY said that police operations had been intensified considerably over the weekend. This action had been presented effectively by the President of the Association of Chief Police Officers, who was in charge, as a police action rather than a Government initiative. That morning the police had been very successful in preventing unlawful pickets from assembling in intimidatory numbers and in ensuring that unlawful picketing did not prevent those who wished to work from doing so in areas which had voted against a strike. The police were to be congratulated on this. 7,245 officers were involved in Nottinghamshire, where operations could be maintained at that

SECRET

AND PERSONAL

level during the remainder of the week before the question of replacements arose. The costs of the police operations raised difficult questions requiring urgent attention. There were isolated indications of picketing at power stations. Hot-line arrangements were being set up between the Central Electricity Generating Board, the police and the Department of Energy.

THE MINISTER OF STATE, SCOTTISH OFFICE said that no pits were working that morning in Scotland. Pickets were reported to have been present in comparative small number at 3 power stations and at a paper mill in Fife.

THE SECRETARY OF STATE FOR TRANSPORT said that a meeting about pay was due to be held later that day between the rail unions and the British Rail Board. He had spoken the previous Friday to the Chairman of the Board. He had been sympathetic to the need to avoid action which could have unhelpful consequences for the miners' dispute, but wished to maintain discipline on the railways by continuing to send home drivers who refused to cross picket lines. Some picketing of railway deliveries had been reported at 2 power stations in South Wales that morning, but, on the whole, the situation on the railways was quiet.

In discussion the following were the main points made.

- a. It seemed that the result of a ballot, were one to take place, could be tipped either way if a comparatively small number of miners changed their minds. The dispute would therefore continue to require very careful handling on the part both of the NCB and the Government in order to avoid incidents which might influence miners' opinion in favour of a strike. In particular, there must be a danger that continued action in the Courts might rally to the strike some miners who remained so far uncommitted. This likelihood would not be lost on the union leaders, who might seek to maintain unlawful picketing in the run-up to a ballot in the hope of provoking further Court action by the NCB. The Government should rely on the judgement of the Chairman of the NCB to handle the situation in this and other respects in the way most conducive to a decision against a strike.

- b. The substantial costs of police action were a serious problem. As with other police costs, 50 per cent was met by Exchequer grant, but the rest fell to the police authority in the area concerned. In the case of Nottinghamshire, the effect of the additional costs, in conjunction with the holdback regime, might be severe. Arrangements to meet the full cost of the police action from the Exchequer would prejudice the Government's stance, which was not to become involved in the dispute, and would set an undesirable wider precedent. An alternative might be to leave the police authority's ratepayers to meet 50 per cent of the expenditure in the normal way, but to prevent the effect from being compounded by the holdback regime.
- c. There had been preliminary indications that the police might wish at some stage to use military helicopters to airlift personnel. This and other exceptional measures should be reported to the Group before any action was taken.

THE LORD PRESIDENT OF THE COUNCIL, summing up the discussion, said that the Government's objectives were that those who had voted against strike action should not be prevented by picketing from going to work; and to achieve a favourable outcome from a national ballot should one take place. On the latter point, the Group had noted the decision of the Chairman of the NCB to seek an adjournment of that afternoon's hearing in the High Court. The Chairman could be relied on to handle the Court proceedings in a way which avoided both unnecessary provocation and any appearance of irresolution; and to act in the most effective possible way to persuade mineworkers of the unwisdom of continuing with strike action. The Group were agreed that the arrangements for meeting the costs of police action gave cause for concern. Home Office and Treasury officials should be instructed to consult officials in the Department of the Environment urgently in the course of the day on ways in which the additional expenditure incurred on policing the dispute might be excluded from the effects of the holdback regime. The Secretary of State for the Environment would be invited to attend a further meeting of the Group on the following day to advise on this question. The Group had noted that there might at some point be a proposal for military helicopters to be used to move police personnel. Before this or any other exceptional measure was taken which might carry a danger of raising the temperature of

the dispute, the Group should be given an opportunity to consider it. In the meantime, the Government's interests would continue to be best served by its policy of non-involvement in the dispute, leaving industrial relations aspects to the NCB and the public order aspects to be dealt with as a police matter. The Home Secretary, the police, the Secretary of State for Energy and the Chairman of the NCB were to be congratulated on their handling of the dispute so far.

The Group -

1. Took note, with approval, of the Lord President of the Council's summing up of their discussion.
2. Invited the Home Secretary and the Chancellor of the Exchequer to instruct officials urgently to consult officials of the Department of the Environment with a view to identifying ways of accepting additional expenditure incurred on policing the dispute from the effects of the holdback regime; and took note that the Lord President of the Council would invite the Secretary of State for the Environment to attend their meeting the following day to advise on this point.

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19 March 1984

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MISC 101(84) 3rd Meeting

COPY NO

17

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in
Conference Room A, Cabinet Office
on TUESDAY 20 MARCH 1984 at 12.00 NOON

PRESENT

The Rt Hon Viscount Whitelaw
Lord President of the Council
(In the Chair)

The Rt Hon Leon Brittan QC MP
Secretary of State for
the Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Patrick Jenkin MP
Secretary of State for the
Environment

The Rt Hon John Biffen MP
Lord Privy Seal

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item	Subject	Page
1	POLICING: FINANCIAL ARRANGEMENTS	1
2	INDUSTRIAL ACTION IN THE COAL INDUSTRY	3

SECRET

AND PERSONAL

SECRET AND PERSONAL

1. POLICING: FINANCIAL ARRANGEMENTS

The Group considered possible ways in which additional expenditure incurred by police authorities in connection with industrial action in the coal industry might be excluded from the effect of the Rate Support Grant holdback régime.

THE SECRETARY OF STATE FOR THE ENVIRONMENT said that he had examined the alternatives of making a specific grant to reimburse Nottinghamshire and other County Councils concerned for grant penalties incurred in respect of expenditure on policing the dispute; and a disregard for holdback purposes of expenditure incurred by police authorities in excess of certain levels. On balance, he had concluded that a disregard would be the right course. It would however be necessary for it to be drafted carefully in general terms applying to all qualifying authorities for a whole year. It might best be related to expenditure under Section 14 of the Police Act 1964 during the financial year 1983/84. The disregard would not result in additional expenditure, though the total amount of holdback would be reduced. There was a precedent from 1981/82, where certain costs incurred in policing civil disturbances had been disregarded for purposes of targets and holdback. The details would require further consideration: in the meantime, he was being pressed by Nottinghamshire County Council for an early meeting to discuss the financial implications of the dispute.

In discussion, the following were the main points made -

- a. There was no intention that the Home Secretary should make directions under Section 14 of the Police Act 1964 in the circumstances of the current dispute. The disregard should therefore be couched only in terms of additional costs incurred on assistance requested by Chief Officers of Police under the Act.
- b. For the longer term it might be desirable in due course to explore ways of encouraging police authorities to provide mutual aid on a "good neighbour" basis without reimbursement. On the other hand, this might lead to an undesirable reduction in the willingness of Chief Officers of Police to respond voluntarily to calls for aid from other areas.

THE LORD PRESIDENT OF THE COUNCIL, summing up the discussion, said that the Group was agreed that the right course was to provide that additional expenditure arising from the policing of the dispute should be disregarded for purposes of the holdback regime, as proposed by the Secretary of State for the Environment. The detailed arrangements, including the amount of expenditure above which the disregard should operate and the way in which this should be defined, should be agreed by the Secretary of State for the Environment with the Chancellor of the Exchequer and the Home Secretary. Meanwhile, there would be advantage in announcing as soon as possible that the Government was prepared in principle to make arrangements to mitigate the problem that had arisen. If questioned in the House that afternoon, the Lord Privy Seal should say that the problem was currently under urgent consideration. The Secretary of State for the Environment, the Chancellor of the Exchequer and the Home Secretary should seek to agree urgently on the terms of a further statement of principle which the Secretary of State should make later that day in response to representations from Nottinghamshire County Council. In respect of the additional costs incurred on policing the dispute in Scotland, the Secretary of State for Scotland, in consultation with the Chancellor of the Exchequer, should make arrangements as similar as possible under Scottish conditions to the disregard for purposes of holdback proposed for England and Wales.

The Group -

1. Invited the Secretary of State for the Environment to agree with the Chancellor of the Exchequer and the Home Secretary -

a. detailed arrangements for a disregard, for purposes of holdback, of additional expenditure incurred on policing the miners' dispute, based on the terms of Section 14 of the Police Act 1964 in the manner proposed by the Secretary of State for the Environment and taking account of points made in discussion;

b. the terms of a statement of principle to be made later that day by the Secretary of State for the Environment in response to representations from Nottinghamshire County Council in respect of additional costs of policing the dispute.

2. Invited the Secretary of State for Scotland, in consultation with the Chancellor of the Exchequer, to take action in Scotland corresponding as closely as possible to the disregard for purposes of holdback proposed in England and Wales.

SECRET

AND PERSONAL

SECRET AND PERSONAL

2. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the number and location of pits working was roughly the same as on the previous day. There were reports that Kent miners were contemplating picketing of major industrial sites in their area, including Bowaters. There were also some reports of coal shortages on the part of some major industrial consumers. A full market report on production and deliveries of coal during the week would be available on the following day. As reported the previous day, the CEGB were in touch with his Department and others concerned against the possibility of picketing of power stations becoming widespread. There were signs that the Yorkshire NUM had been surprised and disappointed by the application of the NCB the previous day for an adjournment in the High Court. Approximately 1000 pickets had gathered at the Yorkshire NUM Headquarters in the expectation that union assets would be sequestered and with the clear intention of escalating the dispute. Renewal of the NCB application in the Courts would require two clear days' notice. There was still no sign that a meeting of the National Executive of the NUM would be called; the end of the following week remained the earliest date on which it was likely to be possible for one to take place. There had been reports that Yorkshire miners were receiving strike pay of £70 per week, plus additional payments where they had taken part in pickets. These were being investigated.

THE HOME SECRETARY reported that about 950 pickets had been at pits that morning compared with some 1400 the previous day. The forces available to the police in Nottinghamshire (not all of them deployed) had been reduced from 7245 the previous day to 6877 that morning. A hearing was to take place that afternoon in the High Court on an application by the Kent NUM for an injunction against the police following the stopping of a number of pickets the previous day on the Kent county boundaries. The application appeared to be based at least in part on reports which were inaccurate as to the facts. Reports had been received that a meeting of area leaders of the NUM held in Sheffield on the previous Sunday had anticipated that the

SECRET

AND PERSONAL

imposition of a substantial fine on the Yorkshire NUM as a result of court action by the NCB would lead some areas which had previously opposed the strike to reconsider their position. If true, these reports confirmed the wisdom of the NCB's decision the previous day to seek an adjournment in the High Court. The police would continue with their current action to maintain law and order. It should be noted, however, that action on the current scale could not be sustained for any great length of time without substantial problems related to cost and logistics. He anticipated, however, that it would be possible to continue without undue difficulty at least to the end of the current week.

THE SECRETARY OF STATE FOR TRANSPORT reported that only two trains had been stopped that day by pickets, both of them in Yorkshire.

THE SECRETARY OF STATE FOR SCOTLAND reported that the situation there remained unchanged since the previous day, with no pits working. Exports of electricity to England and Wales were continuing via the interconnector: it might be necessary before long to consider moving to oilburn in order to safeguard coal stocks if these exports were to continue.

THE LORD PRESIDENT OF THE COUNCIL, summing up a brief discussion, said that it was satisfactory that the level of working achieved the previous day had been maintained and that further violence had been prevented. The Government would wish to see these achievements maintained in current circumstances pending any major change in the conduct of the dispute. There appeared to be no immediate prospect of a meeting of the National Executive of the NUM to discuss a possible national ballot. With a partial strike affecting the majority of the coalfields, and substantial continuing police activity there was a danger that some incident might occur to raise the temperature and adversely affect the climate of miners' opinion. The tactics of the NUM leadership appeared, for the time being, to be to await such developments in order to increase the chances of support for a national coal strike. There was currently no action which the Government could take to bring matters to a head in a fashion conducive to its aims. It might be necessary shortly for the Group to reconsider endurance and the possible need for oilburn. In the meantime, the Government should maintain the low key approach which it had successfully followed throughout the dispute so far, while police

SECRET

AND PERSONAL

action continued to prevent violence and ensure that miners in areas which had voted against the strike were able to continue to work. It seemed likely that police action would have to continue throughout the week and probably during the following week as well. He would arrange to report orally to the Prime Minister the following morning, accompanied by the Home Secretary, the Secretaries of State for Energy and Employment and the Attorney General.

The Group -

1. Took note, with approval, of the Lord President of the Council's summing up of their discussion.
2. Took note that the Lord President of the Council, together with the Home Secretary, the Secretaries of State for Energy and Employment and the Attorney General would report orally to the Prime Minister on the following morning.

Cabinet Office

20 March 1984

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MISC 101(84) 4th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 26 MARCH 1984 at 9.45 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Patrick Jenkin MP
Secretary of State for the
Environment

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET

AND PERSONAL

SECRET

AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that roughly the same number of pits - 36 - was working that morning as at the end of the previous week. Miners in Lancashire had been called out on strike from that morning by their local Executive of the National Union of Mineworkers (NUM). The workforce at at least two large pits, however, had made it clear that the strike was for 7 days only and was linked with a call for a national ballot. It was unlikely that the National Executive of the NUM would meet before 12 April, however. The militants in the union believed that the whole success of their campaign against closures was at stake in the current action. Even if a national ballot was called on 12 April, therefore, and even if it resulted in a vote against industrial action, it was possible that the National Executive might continue to support industrial action on a local basis. On endurance, measures had already been taken to ensure the maximum contribution to electricity supplies from nuclear power stations and the Scottish interconnector. His own view was that the time had now also come to move to maximum oilburn. He would be discussing the intentions of the Chairman of the Central Electricity Generating Board (CEGB) when he saw him later that day. The National Coal Board (NCB) would be considering later that day whether action should be taken in the Courts to pursue the existing injunction against the Yorkshire area of the NUM and to seek a further injunction against the Kent area of the union.

THE HOME SECRETARY said that he had found police morale high on a visit he had made to Humberside the previous Friday. The position on the ground that morning was somewhat improved since the end of the previous week. Police manpower was being still more effectively used, and there was no threat to the continuation of the police operation. The police had been successful in preventing very large assemblies of pickets in Nottinghamshire, and ensuring there and elsewhere that those who wished to go to their places of work were able to do so. Pickets had, however, been reported at 18 sites other than pits, though the number of pickets involved was comparatively small and there was only one report of picket lines not being crossed. The sites affected included power stations and quays. There had also been reports

SECRET

AND PERSONAL

that members of the Socialist Workers Party were planning to join NUM pickets. Demonstrations both for and against the strike were expected later in the day outside a meeting of the NUM's Nottinghamshire Executive. A demonstration in favour of the strike was planned for Mansfield on 7 April. Certain precautionary action had been taken by the police before the weekend following the receipt of a threat against Mr Scargill's life.

THE SECRETARY OF STATE FOR SCOTLAND reported that picketing had taken place with limited success at two power stations in Scotland and at some open-cast sites.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that, following an inquiry by the regional offices of the Confederation of British Industry, there were no reports of general or immediate problems for industry. It was likely, however, that a number of foundries would run short of coal supplies that week. British Leyland's coal stocks were also low.

In discussion the following were the main points made -

a. Renewed action by the NCB in the Courts at present would be likely to strengthen the hand of militants in the NUM. In the light of evidence now in the possession of the Board, it would be necessary for them to couple action on the existing injunction against the Yorkshire Executive with an application for a further injunction against the Kent NUM. The Board would be likely to be drawn into following action against these areas with applications for further injunctions. Attempts at sequestration, together with a policy of non-cooperation by the NUM, would raise the temperature of the dispute, posing problems of enforcement and possibly of public order. Restraint exercised now by the NCB would not restrict their scope for Court action later. The point might soon come at which it would be desirable for further action to be taken in the Courts.

b. Nottinghamshire County Council had expressed dissatisfaction with arrangements proposed by the Secretary of State for the Environment to exempt additional costs incurred on the policing of

of the strike from grant holdback, subject to a threshold. The Council would be seeing the Home Secretary later that week to press for extra grant to meet the full cost of policing the dispute.

THE PRIME MINISTER, summing up the discussion said that although the present level of working in the industry was stable, it was not satisfactory for purposes of endurance. It was desirable that the CEEB should decide to move to maximum oilburn in order to conserve its stocks of coal. In the first instance, it would be for the CEEB to bear the costs of any such increase within its existing resources, though it might be necessary to reconsider the financial arrangements if the industrial action were prolonged. The Group had noted that the consequence of such an increase in oilburn was likely to be an increase of approximately 15 per cent in the tariff to bulk consumers of electricity. As for the handling of the dispute itself, the Government's objective should continue to be the maintenance of conditions favourable to influence of moderate opinion within the union. In order to avoid any unnecessary raising of the temperature in the dispute, Ministers should refrain from seeking to reply to attacks on the Government's alleged role by members of the Opposition in speeches over the weekend. On the basis of information available that morning, the Group took the view that renewed NCB action in the Courts was unlikely to be helpful at present. The Board would no doubt have similar considerations in mind when they discussed possible further Court action later that day. Increases in oilburn should be implemented unobtrusively and should be presented so far as possible as prudent action by the management of the CEEB to safeguard supplies for the long-term by husbanding their stocks of coal. The Group had noted the arrangements by means of which the Secretary of State for the Environment proposed to exempt additional expenditure on policing the dispute from grant holdback, subject to a threshold, and noted that he would announce his proposals publicly by means of an early Written Answer. Following the meeting due to take place on Thursday of that week between the Home Secretary and Nottinghamshire County Council, he would wish to have further discussions with the Secretary of State for the Environment, Treasury, Ministers and any other Ministers primarily concerned and the Group might wish to return to the matter.

SECRET

AND PERSONAL

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion, and invited the Secretary of State for Energy to be guided accordingly.
2. Invited the Secretary of State for the Environment to announce by means of an early Written Answer the arrangements he proposed to exempt additional expenditure on policing the dispute from the effects of grant holdback, subject to a threshold.
3. Invited the Home Secretary, following his meeting with the Nottinghamshire County Council, to discuss further the treatment of the costs of policing the dispute with the Secretary of State for the Environment, Treasury Ministers and any other Ministers primarily concerned; and to report the outcome to the Group.

Cabinet Office

26 March 1984

SECRET

AND PERSONAL

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AND PERSONAL

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MISC 101(84) 5th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 28 MARCH 1984 at 4.00 pm

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Paul Channon MP
Minister of State
Department of Trade and Industry
(Minister for Trade)

Mr Allan Stewart MP
Parliamentary Under-Secretary
of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item No	Subject	Page No
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	COSTS OF POLICING THE DISPUTE	4

SECRET

AND PERSONAL

18

SECRET

AND PERSONAL

SECRET AND PERSONAL

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the same number of pits were working as on the previous day. Numbers of miners going to work had increased, however, while numbers of pickets were smaller and their morale was lower. Miners in the Midlands were ignoring a call by the union to strike. Levels of deliveries to power stations were being maintained. It had been possible to achieve helpful levels of imports, including some imports of coke for larger foundries. Estimates of total endurance remained unchanged: the Central Electricity Generating Board (CEGB) was moving to maximum oilburn as quickly and discreetly as possible.

A problem had arisen over the costs of oilburn since the Group's earlier discussion at MISC 101(84) 4th Meeting. The Electricity Consumer Councils would have the right to comment on proposals for any increases in charges consequent on an increase in oilburn. Not only would this increase public visibility, but the Councils might have a legal right to challenge the decision to increase oilburn while substantial reserves of coal continued to be available. He suggested that no action should be taken by the CEGB at the moment to increase charges, and that consideration of how the costs of oilburn should be borne should be postponed until a later stage.

There had been pressure on the National Coal Board (NCB) in the media and elsewhere to renew action in the Courts. There were indications, however, that those leaders of the National Union of Mineworkers (NUM) who favoured the strike were becoming increasingly frustrated at the restraint shown by the NCB in a dispute which they saw as the decisive confrontation on closures. Eight members of the National Executive of the NUM had called for a national ballot following a meeting on the previous day. That meeting had been on encouraging development and a blow to the morale of militants within the union. In his view there was as yet no justification for a change in the NCB's tactics.

AND PERSONAL

SECRET

The current pay negotiations for workers in the electricity supply industry could have implications for the miners' dispute. The CEEGB hoped that it might be possible to reach an early settlement at a level around 4.5-4.6 per cent. The prospects would be clearer after an informal meeting between the Board and union leaders due to take place later that week. If a settlement was reached, however, it would be formally concluded on 11 April, the day before the next scheduled meeting of the National Executive of the NUM. A settlement at that point could clearly be of help to moderate elements on the Executive in seeking a national strike ballot. It would not be helpful, however, if, as was customary in the electricity supply industry, the unions were to present the settlement in a way which maximised, or even exaggerated, the level of increase agreed. In consultation with the CEEGB, he would be seeking to ensure that the true level of any settlement for electricity supply workers on 11 April was accurately reported.

THE HOME SECRETARY said that, as the Secretary of State for Energy's report had shown, the police operation had continued successfully. The pickets' latest tactic of blocking major roads had been anticipated by the police and dealt with promptly and successfully. The effect of the blockades on public opinion had been counter-productive to the strikers' case. He had appeared on radio and television earlier that day to talk about the blockades and had taken the opportunity to stress that no deterioration was taking place in the level of working in the coal fields.

THE MINISTER OF STATE, DEPARTMENT OF TRADE AND INDUSTRY said that, as reported previously, some foundries were running short of fuel supplies. In addition, the British Steel Corporation (BSC) had reported problems at some integrated steel works. At Teesside, there was some prospect that members of the Transport and General Workers Union (TGWU) might refuse to unload a coke boat due to arrive on Sunday 1 April. If this happened, the plant could close by 3 April. The works at Scunthorpe, usually supplied from a coke depot in Sheffield which had been heavily picketed, might have to cease production on 14 April if no further supplies were obtained. Less immediately, there was a need to obtain further supplies for Llanwern.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, SCOTTISH OFFICE said that the position in Scotland as regards pickets remained unchanged. The South of Scotland Electricity Board (SSEB) was increasing oilburn in order to maintain the maximum contribution to supplies in England and Wales via the interconnector. This would be done as unobtrusively as possible, though it was inevitable that the start-up of oil-fired plant at Inverkip would be noticeable.

THE PRIME MINISTER, summing up the discussion, said that it was encouraging that the level of coal production achieved the previous week was being maintained and that police operations were continuing successfully to ensure that those who wished to go to their place of work were able to do so. The Secretary of State for Energy should examine and report further to the Group on current endurance in Northern Ireland and should continue generally to ensure that everything possible continued to be done to maximise endurance in the country as a whole. The Home Secretary should continue to monitor closely the public order aspects of the dispute. For the reasons identified by the Secretary of State for Energy in his oral report, the Group agreed that no action should be taken for the time being to raise electricity charges to consumers to reflect increased costs to the CEGB arising from oilburn. The Group would return to this question at a later stage. In the meantime, the policy of the Government should continue to be to leave the conduct of the dispute itself to the NCB and to ensure so far as possible that no action was taken by Ministers or others to raise the temperature of the dispute in ways which might strengthen the hands of the strikers.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to investigate and report further on endurance in Northern Ireland.
3. Agreed that no action should be taken for the present by the Central Electricity Generating Board to raise electricity charges to consumers to reflect the additional costs of oilburn.

SECRET AND PERSONAL

2. COSTS OF POLICING THE DISPUTE

THE HOME SECRETARY said that he had discussed further with the Secretary of State for the Environment, who could not be present that afternoon, questions arising from the costs of policing the dispute. The Group had agreed at its fourth meeting (MISC 101(84) 4th Meeting, summing up) to exempt additional expenditure on policing the dispute from grant holdback, subject to a threshold. The Secretary of State for the Environment had initially proposed to do this by means of a threshold of 50 pence per head of population. Further consideration of the formula had made it possible to contemplate a reduction in the threshold to 10 pence per head. The Secretary of State for the Environment considered the retention of a threshold at this level desirable to exclude claims from police authorities for sums too small to be genuinely significant. He himself, however, considered that a threshold on the basis proposed by the Secretary of State for the Environment was no longer necessary if it was indeed possible to define the scope of the disregard satisfactorily. In particular, the proposed threshold would discourage some police authorities which might otherwise have been prepared to make some modest contribution to the policing of the dispute through mutual aid arrangements.

It was necessary to consider separately whether there was a case for additional financial assistance to Nottinghamshire County Council in particular and possibly other authorities subsequently on a similar basis, to meet centrally some of the actual costs of police action in excess of the amount (about 65 per cent in the case of Nottinghamshire) already covered by general or specific grant arrangements. He was to receive the following day a deputation from Nottinghamshire County Council, which had made a strong case for such aid. He proposed that he should tell the deputation that, although the Government could not at the present stage decide on the extent of additional help, they agreed that some such help for Nottinghamshire would be necessary, its extent to be decided when the amount of the additional costs was known.

THE CHIEF SECRETARY, TREASURY said that it would be desirable to retain a threshold for the proposed disregard in respect of additional expenditure on mutual aid arrangements for policing the dispute for the reasons identified by the Secretary of State for the Environment and reported by the Home Secretary. There might be difficult problems of definition involved in operating a disregard without a threshold on the basis proposed by the Home Secretary, which might also produce awkward claims for very small sums to be disregarded. There were strong objections also to additional aid for police authorities from central Government for the actual costs of policing the dispute. Such aid would provide a difficult precedent on which similar claims might be based in future by local authorities in relation to problems ranging from exceptional policing operations to natural disasters.

THE PRIME MINISTER, summing up a short discussion, said that, in the interests of maintaining the greatest possible level of co-operation by police authorities in dealing with the dispute, the Group was satisfied both that the proposed disregard for purposes of grant holdback should not be subject to a threshold; and that some additional Exchequer assistance to Nottinghamshire County Council with the actual costs of policing the dispute was appropriate. The scale and duration of the police operation in the Nottinghamshire coal field meant that the problem was genuinely sui generis. The Home Secretary should respond sympathetically to the deputation from Nottinghamshire County Council when he met them on the following afternoon along the lines he had proposed to the Group. It would be necessary when the amount of the additional assistance came to be decided for the county council's claims to be considered in a sympathetic and generous way.

The Group -

1. Agreed that the disregard for holdback purposes of the costs of policing the dispute should not be subject to any threshold.
2. Agreed that the Home Secretary should respond sympathetically and generously to the request of Nottinghamshire County Council for additional Exchequer aid towards the costs of policing the dispute.

Cabinet Office

29 March 1984



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MISC 101(84) 6th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 2 APRIL 1984 at 10.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for
Trade and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the
Armed Forces
Ministry of Defence

Mr David Mitchell MP
Parliamentary Under-Secretary of
State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

SECRET

AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the position that morning had improved compared with the previous week. More miners were at work and the number of pits fully on strike had reduced from 130 a week previously to 120 that morning. There had for some days been intermittent, light picketing at power stations. Nevertheless, 450,000 tonnes of coal had been moved to the power stations the previous week and 650,000 tonnes of coal had been moved altogether. Out of 7 rail depots located in areas which were still working, 4 were reported as working normally that morning, with the remaining 3 not working normally due to action by the Amalgamated Society of Locomotive Engineers and Firemen (ASLEF). The view of the National Coal Board (NCB) was that any action by the British Rail (BR) Board against ASLEF likely to escalate the dispute was undesirable, both because of the need to maintain for as long as possible those rail deliveries which were continuing and because such action would reduce the effectiveness of pressure being brought to bear locally on ASLEF from within the National Union of Mineworkers (NUM) in areas which had voted to continue to work.

Fourteen out of 24 members of the NUM National Executive were now mandated to support proposals for a national ballot. It would be conducive to a favourable outcome from a ballot to focus attention as far as possible on the NCB pay offer on recently improved severance terms which would apply in the case of closures and on the high level of investment proposed for the coal industry, all of which were matters at the heart of the dispute.

THE HOME SECRETARY said that there had been no major change in the position as regards law and order. Police activity that morning had focussed largely on Lancashire. There had been unconfirmed reports, which were being further investigated, that some men had been physically prevented from going into one pit in Scotland, but otherwise those wishing to go to their place of work in Lancashire and elsewhere had been able to do so.

AND PERSONAL

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SECRET

AND PERSONAL

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that liquid steel production the previous week had been some 30-40,000 tonnes down compared with an average week, though deliveries had been only marginally affected. The coke ship which had been due at Teesside at the weekend had been unloaded by members of the Transport and General Workers Union (TGWU) despite union instructions to the contrary. There was a need for both coke and coal to be moved soon to Llanwern from Port Talbot. For Scunthorpe to stay in production, it would be necessary to obtain coal from Teesside within a week or so: the rail links to the works was currently cut by NUM pickets. Pressure on the British Steel Corporation (BSC) to take action to ensure supplies was likely to increase over the next few days. Mr McGahey and Mr Sirs were reported to be meeting that afternoon to discuss the question of supplies of coal for Ravenscraig, to which trains were currently running from Hunterston. There must be some likelihood that a failure by Mr McGahey and Mr Sirs to agree might affect the level of support from the Iron and Steel Trades Confederation (ISTC) for the dispute. If agreement was reached, it was possible that the terms might provide a helpful precedent for similar arrangements in respect of Llanwern and Scunthorpe.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT, said that ASLEF had announced the previous Friday that they were instructing their branches to black movements of coal. It appeared that such instructions had not been received at ASLEF branches by that morning. The Chairman of the BR Board reported that all depots were operating, though some individual drivers had refused to drive trains. These drivers had been given time for reflection, following which those still refusing would be sent home without pay. The Board's intention was to handle the situation firmly but coolly, not asking men to cross picket lines but otherwise requiring them to work normally. The Board's lawyers were keeping developments under review and the Government would be informed if the Board was considering legal action. Meanwhile, the National Union of Railwaymen and National Union of Seamen were discussing the dispute at meetings later that day and on the following day respectively. It was likely that instructions might be received by ASLEF branches from their Executive in the course of the day. It was therefore possible that the transport position might soon deteriorate sharply.

AND PERSONAL

SECRET

THE MINISTER FOR THE ARMED FORCES said that the Ministry of Defence, while maintaining the lowest possible profile, had responded to requests to provide accommodation and messing facilities for a number of police personnel. Requests for certain other assistance and facilities had been declined as likely to be counter-productive. There was some prospect that a Parliamentary Question might be tabled about the role of the services in the dispute. In response to such a Question, he proposed to say that certain standard plans existed for the use of servicemen to maintain essential services, but no special contingency planning was taking place for service involvement in this dispute.

THE PRIME MINISTER, summing up a brief discussion, said that increases that morning in the number of miners and pits at work in Lancashire and more generally were encouraging. In view of the tendency in some quarters to exaggerate the effects of the dispute, it was desirable that the true facts of the present position should be brought out more clearly. The Government's objective should be to maintain their policy of non-involvement in the dispute, while ensuring that as much coal as possible continued to be delivered in the period up to and beyond the meeting of the NUM National Executive on 12 April. With this in view, the Group welcomed the intention of the BR Board to keep the temperature down and to keep as many drivers of coal trains as possible at work. It seemed likely that ASLEF would continue to come under local pressure not to prevent the movement of coal from pits where miners had decided in accordance with union procedures not to strike: the return to work in Lancashire provided a useful context in which this argument could be deployed. Handling the rail unions was a matter for the British Rail Board, but there was likely to be advantage in their consulting the NCB at the most senior levels. The Group had noted that the BR Board would inform the Government if legal action was contemplated, though it was important to avoid any suggestion that recourse by the Board to legal remedies was in any sense subject to Government direction. The Group would meet again on Wednesday 4 April.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

2 April 1984

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MISC 101(84) 7th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 4 APRIL 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the Armed Forces
Ministry of Defence

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the drift back to work was continuing. More miners were working that day than had been the previous day and, notwithstanding the recent instruction from the Nottinghamshire Area Executive of the National Union of Mineworkers (NUM) that their members should not cross picket lines and their recommendation that their members should set up their own picket lines, all but one pit in the Nottinghamshire coalfield had worked normally during that morning. As a result of approaches by both management and union representatives to the 3 winders who had not reported for work at that pit in the morning all pits were working normally during the afternoon shift. It was thought likely that the Nottinghamshire NUM Delegate Council Meeting on 5 April would reject both their Executive's recommendation to set up picket lines and instruction not to cross them; and that the forthcoming ballot of 18,000 members of the National Association of Colliery Overmen, Deputies and Shot firers (NACODS) (spread throughout all coalfields) would reject strike action. If the Nottinghamshire Delegate Council voted as anticipated it seemed likely that railwaymen at the main depots serving the area would be prepared to move coal from pits that were working.

There was continuing disagreement between the NUM and Steelworkers at Ravenscraig over who should decide the level of coal and coke deliveries required by the steelworks. There had been indications that members of the National Union of Railwaymen (NUR) would be prepared to move coke and coal supplies from Port Talbot to the Llanwern steelworks as long as they came from existing stocks and were not new imports. The Central Electricity Generating Board (CEGB) would be arranging for the delivery of further supplies of coal to power stations with substantial stocks to be delayed, if delivery was likely to prejudice the readiness of members of the Transport and General Workers Union (TGWU) to move existing stocks within power stations. Some 110,000 tons of coal had been moved on 3 April but the movement of coal, especially by rail, might be slowed still further if the NUR persisted with their tactic of selecting signalmen who were prepared to obey union instructions, to man those signal boxes best positioned to prevent the movement of coal trains.

SECRET

AND PERSONAL

It was thought likely that moderate members of the NUM National Executive Committee (NEC) would come under increasing pressure from militants as the meeting scheduled for 12 April drew near. As he had reported previously 14 members of the NEC were mandated to vote for a national ballot, but even so it was by no means certain that the NEC would decide to hold one. The National Coal Board (NCB) were arranging for 'Coal News', containing details of investment plans, the current pay offer and generous redundancy terms, to be delivered to all miners within the next 24 hours and to follow this up with a substantial publicity campaign designed to keep miners attention on the main issues during the run up to the NEC meeting and any subsequent ballot. It was thought likely that considerable numbers of both militant and moderate miners would be present outside the NUM headquarters in Sheffield on 12 April and violence would occur.

THE HOME SECRETARY said that fairly heavy picketing had been resumed at some collieries. There had also been some 600 pickets at the docks at Port Talbot that morning and large numbers of pickets had been outside some power stations, for example 300 at Blyth. Nevertheless police action continued to ensure that all those wishing to enter their place of work had been able to do so. The police were confident that they would be able to maintain a clear passage for road-borne coal deliveries to any power stations requiring them.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that a number of smaller ferrous metal foundries were running very short of both coal and coke and would have to stop working if fresh supplies could not be obtained. The situation in the British Steel Corporation (BSC) major works varied; Port Talbot could continue production for a further 7 weeks and some supplies of coke were getting through; production would need to stop at Llanwern by the end of April, Scunthorpe by 21 April, Ravenscraig by 13 April and Teeside by the end of the current week unless further supplies of coke and coal could be delivered.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT, said that normally 330 coal trains were planned to run each day. On the previous day of 130 trains called only 65 ran and only 50 were expected to run on that day. About 25 per cent of 'merry-go-round' trains had run in the past 24 hours. Most of the shortfall resulted from action by British Rail (BR) staff, the remainder as a result of NUM picketing. Most East Coast ports were closed

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AND PERSONAL

to coal traffic but no major problems over coal movement by road had been reported during the past 24 hours, except in Wales. There had been some instances of vandalism and/or sabotage of railway signalling equipment in the vicinity of coal fields which had been reported to the police.

THE PRIME MINISTER, summing up a brief discussion, said that it remained important that the Government continued to maintain a low profile at least until the NUM NEC had decided whether or not to organise a national ballot. Even though the increasing level of attendance at working pits was encouraging as were the predicted likely outcomes of the forthcoming meeting of the Nottinghamshire Delegate Council and the NACOD ballot it was by no means certain that the NEC at its meeting on 12 April would decide to hold a national ballot and the prospect of a long strike remained. The Group welcomed the NCB's plans to keep the main issues clearly before members of the NUM in the period between now and any national ballot that might be organised. It was important that high level consultation between the BR Board and NCB should continue and any public announcement of the possible closure of small ferrous metal foundries or any other industrial plant which might give encouragement to the militants should if possible not be made before the NEC meeting on 12 April. She would take particular care to highlight the issues at the heart of the dispute - high investment, good pay offer, very generous redundancy terms and Government confidence in the future of the coal industry at every opportunity - especially during a BBC Panorama interview scheduled for 9 April. Any Ministerial statement or action that could be seized on by the militants to further their desire to politicise the issues should be avoided. The Group must be ready to reassess Government tactics on all aspects of the dispute as the situation developed.

The Group -

Took note with approval of the Prime Minister's summing up of their discussion.

Cabinet Office

5 April 1984

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MISC 101(84) 8th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 9 APRIL 1984 at 4.45 pm

PRESENT

The Rt Hon Margaret Thatcher
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Office

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for
Trade and Industry

The Rt Hon Tom King MP
Secretary of State for
Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr Michael Ancram MP
Parliamentary Under-Secretary
of State, Scottish Office

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of
Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the drift back to work was continuing and was particularly noticeable in the Lancashire coalfield. The National Coal Board (NCB) reported that 46 pits had been working normally that morning and 10 more were producing some coal; 120 remained strikebound. Although picketing had generally been light, two pits in Nottinghamshire had been subject to heavy picketing in the middle of the day; 500-600 pickets had been at Cresswell Colliery and up to 3,000 at Babbington Colliery. There had been scuffles with the police, some of whom were reported to have been injured and about 60 arrests had been made. Despite the massive picket, reportedly containing a number of non-miners, 100 out of the 120 miners scheduled to work during the afternoon shift at Babbington had entered the pit and were working. The President of the National Union of Mineworkers (NUM) could be expected to try and raise the political temperature of the strike before the National Executive Committee (NEC) meeting on 12 April, with a view to obscuring the real issues. The weekend press had given helpful coverage to the continuing police operation to uphold the rule of law and to the options open to the President and militant members of the NUM NEC to avoid holding a national ballot. If no ballot was called it might be expected that striking miners in areas where NEC members had been instructed to seek a ballot would reconsider their willingness to continue striking.

THE HOME SECRETARY said that the police operation continued successfully. The sudden appearance of massed pickets at Cresswell and Babbington Collieries had created temporary difficulties but additional police had quickly been deployed and the situation contained. The emergency debate in the House on the following day, granted at the request of an Opposition back bench member, would give him the opportunity to highlight the basis of the police operation in support of the rule of law and put in proper perspective those who were intent on denying, and those whose duty it was to uphold, the rights of miners who wanted to work to enter their workplace for that purpose.

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MISC 101(84) 9th Meeting

COPY NO

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CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 11 APRIL 1984 at 9.45 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 46 pits were working normally that day and, overall, several hundred more miners had reported for work than on the previous day. The major impediment to an improvement on the previous day's increase in the amount of coal moved by rail was a particular signal-box at Worksop, efforts were in hand to overcome the problem. Power station endurance in England and Wales was bearing up well because oil burn was increasing as planned and some coal was still being delivered to a number of stations. There was no immediate likelihood of pithead storage space running out at pits still working and with summer approaching there should be no serious problems with domestic coal supplies.

The President of the National Union of Mineworkers (NUM) was thought to be bringing great pressure to bear on moderate members of the National Executive Committee (NEC) to ensure there would be no decision in favour of a national strike ballot at the NEC meeting on 12 April. It had been reported that some 150 coach-loads of miners from South Wales were likely to be outside the NUM HQ in Sheffield when the NEC meet on 12 April, and it was to be expected a large number of militant miners from Yorkshire and other coalfields would also be present, providing a clear threat to law and order and possibly preventing moderate members of the NEC from entering the building. The most likely outcome of that meeting now appeared to be the convening of a further National Delegate Conference with a view to re-affirming NUM policy on pit closures and an inadequate pay offer. Militant members of the NUM would find it easier to impose their will at a National Delegate Conference. Allegations that privatisation of the coal industry would follow the closure of uneconomic pits might figure more prominently in the left wing propaganda campaign in the future.

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The result of the ballot recently carried out by members of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) on whether to strike on the issue of pit closures was expected later in the day; present indications were that there would be a narrow majority against strike action.

There was a meeting scheduled for later in the day at which employers in the electricity supply industry were hoping to reach a settlement on pay for their manual workers. If it was not possible to get a settlement at that day's meeting the employers would endeavour to adjourn the meeting until the following week.

THE HOME SECRETARY said that there had been little heavy picketing overnight except at Bolsover Colliery where 86 per cent of the workforce had entered the pit despite the presence of 400 pickets. The police would pay particular attention to the NUM HQ in Sheffield on 12 April. It would not be practicable to prevent militant miners assembling for what would be presented as a demonstration rather than a picket, but the police would do their best to contain the demonstration. Particular efforts would need to be devoted, if necessary, to assisting moderate members of the NEC to enter the building for the meeting.

THE SECRETARY OF STATE FOR TRANSPORT said that on the previous day 55 coal trains had been scheduled of which 37 ran and 18 were prevented from running by members of the rail unions.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that there were no immediate problems facing industry. The NUM appeared to have agreed, following considerable pressure from unions in the steel industry, that coal and coke supplies should be made available to the main steel foundries. Steel production should therefore be maintained at a reasonable level until the end of the following week, after which it might decline. Road deliveries of coal seemed likely to meet the foreseeable needs of small individual industrial users. Problems might arise next month for larger industrial users - particularly paper and cement manufacturers and, depending on the level of steel output, firms such as Massey-Ferguson and British Leyland. The NCB

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were hopeful that supply problems could be overcome. Pressure on the NUM from union members in threatened industries, on the lines of that exerted by the steel unions, could prove helpful.

THE SECRETARY OF STATE FOR SCOTLAND said that power station endurance in Scotland had been slightly but only temporarily affected by difficulties involving 24 hour loss of output from a nuclear reactor and a cable fault at another station. Two coal trains were currently running each day to Ravenscraig, as agreed by the NUM a few days earlier.

THE SECRETARY OF STATE FOR EMPLOYMENT said that renewed interest in the part employment legislation might play in relation to the miners strike was likely later in the week. Two small coke handling firms were seeking injunctions against the NUM to prevent secondary pickets depriving them of business and to secure compensation for business already lost and the case had been adjourned until 13 April. Depending on the outcome it was possible that other private sector businessmen affected by the miners action might also seek injunctions. The General Secretary of the NUM had appealed to other unions to make funds available to the miners despite the relative wealth of the NUM and the fact that the NUM was not providing strike pay. The Amalgamated Union of Engineering Workers had donated only £3,000.

THE PRIME MINISTER, summing up a short discussion, said that the Government policy of avoiding any action or statement that could assist the President of the NUM, especially in relation to the chances of obtaining a national ballot of NUM members, should continue for the time being. It was possible that Mr Scargill intended the current situation to continue throughout the summer, prior to seeking to call a national strike in the autumn and for this reason the successful completion of the phased introduction of maximum oil burn and movement of the greatest possible tonnage of coal from working pits to power stations remained of paramount importance. It was hoped that pressure from union members in industries whose future was threatened by loss of coal supplies, together with the ingenuity of managers in those industries in cooperation with the NCB, would overcome the supply

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problems that had been mentioned. In this connection the steel unions had given a good lead. The longer the current action continued the more likely it would be that financial pressures now more severe than those applying in 1972 and 1974, would be felt by miners and their families. There might then be a drift back to work in a number of coalfields currently closed down, although such developments were unlikely in Yorkshire. In the event of a prolonged strike, the handling of pit closures would need careful consideration. The Group would meet again Friday 13 April when there would be a first opportunity to assess the outcome of the NUM NEC meeting on 12 April.

The Group -

Took note with approval of the Prime Minister's summing up of their discussion.

Cabinet Office

11 April 1984

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MISC 101(84) 10th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
FRIDAY 13 APRIL 1984 at 9.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Douglas Hurd MP
Minister of State, Home Office

Lord Trefgarne
Parliamentary Under-Secretary of State
for the Armed Forces
Ministry of Defence

Mr Michael Ancram MP
Parliamentary Under-Secretary of
State, Scottish Office

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that work was proceeding in the same number of pits as on the previous day but heavy picketing had so far prevented full production starting at 2 of the pits which had been operating normally. There had been a further increase in the total number of miners reporting for work. Some 500,000 tons of coal were expected to have been moved from working pits before the end of the week, by rail and road. The atmosphere both inside and outside the Headquarters of the National Union of Mineworkers (NUM) at the previous day's meeting of the National Executive Committee (NEC) had been very unpleasant; a number of moderate members of the NEC, together with some press representatives, had been assaulted; 55 pickets had been arrested and 21 policemen injured. It was thought that many in the crowd outside NUM HQ were not miners but no positive proof had, as yet, emerged as a result of arrests. It had been reported that, despite the call for a national ballot being ruled out of order by the President of the NUM under Rule 43 (on the grounds that a national strike call had to be made before the question of a ballot could be discussed), 13 moderates had been able to indicate their support for a ballot and that the moderates would be seeking advice on the legality of the President's ruling.

It was probable that pressure by militants on moderate members of the NEC would continue up to and during the Special National Delegate Conference called for 19 April; mass picketing was likely to continue at selected collieries, for selected shifts. He understood the Chairman of the National Coal Board (NCB), who was due to hold a press conference later that morning, intended to keep the temperature of the dispute low, whilst encouraging those who wanted to work to return to their pits. An additional incentive for miners to report for work on 16 April would be the prospect of 5 days Easter holiday pay being made available to those who worked during the first four days of that week.

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The constitutional position regarding the announced intention of asking the Special National Delegate Conference to change the NUM rules so that only a simple (rather than 55 per cent) majority would in future be needed for a national strike to be called, was unclear. A similar resolution was rejected at the 1982 Annual Conference of the NUM and it was understood that the NUM rules did not permit the matter to be considered again for two years; an attempt to reconsider the subject at the 1983 Annual Conference had been ruled out or order. The moderates would probably be seeking legal advice on that matter also.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT, said that on the previous day British Rail (BR) ran 45 out of 46 planned coal trains and they planned to run 46 that day; under normal circumstances 313 coal trains would be scheduled on a Thursday and Friday. The previous day 3 guards and 1 signaller had been sent home for refusing to handle coal trains. BR intended from now on to run only those coal trains they expected to get through.

THE MINISTER OF STATE, HOME OFFICE, said that some 1500 police had been deployed the previous day in the vicinity of the NUM HQ in Sheffield. The assaults on some moderate members of the NEC, had occurred after most of the pickets had dispersed. The police would be better prepared against such tactics in the future. Elsewhere the only mass picket of the day had been at a colliery in the Lancashire coalfield. It would be important for Chief Constables to have the earliest possible warning about pits where miners seeking to return to work might report for duty, so that appropriate policing arrangements could be made.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY, said that the British Steel Corporation (BSC) expected to be able to supply the United Kingdom market until the end of May, if necessary at the expense of exports, despite a cutback of 10 per cent in production - mainly at their Scunthorpe works. BSC management were becoming concerned at the way arrangements made between their own unions and the NUM and the railway unions, to ensure continuing supplies of coal and coke, included conditions which management would find unacceptable and which might be a cause of future difficulty in the steel industry.

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THE PRIME MINISTER summing up a short discussion said that the Government should continue for the time being to keep a low profile and avoid any statement or action that would possibly be used by Mr Scargill or other NUM militants to further their cause. Every effort must continue to maintain law and order throughout the coalfields in the face of increasing provocation from pickets and some leaders of the NUM. The Group would meet again on Monday 16 April.

The Group -

Took note with approval of the Prime Minister's summing up of their discussion.

Cabinet Office
13 April 1984

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MISC 101(84) 11th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 16 APRIL 1984 at 3.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr Norman Lamont MP
Minister of State, Department of
Trade and Industry

Mr John Gummer MP
Minister of State, Department of
of Employment

Mr Giles Shaw MP
Parliamentary Under-Secretary of
State, Department of Energy

Lord Trefigarne
Parliamentary Under-Secretary
of State for the Armed Forces
Ministry of Defence

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE DEPARTMENT OF ENERGY, said that 45 collieries had been in full production that day (one more than on the previous Friday morning and three more than on the previous Friday afternoon); 6 more were producing some coal and some men were at work at 3 others; 121 pits were idle. In spite of a number of rallies during the preceeding weekend more miners had reported for work than on the previous Monday morning, particularly in Lancashire and the South Midlands, although the prospect of qualifying for the Easter holiday pay might have influenced some men. Picketing had resumed that morning and there had been more than 100 pickets at 6 pits. No picketing had been reported at power stations.

It seemed likely that fewer coal trains would run that day - British Rail (BR) estimated just over 40. Non co-operation by members of two railway unions had been responsible for a reduction of about one third in the total amount of coal now being moved by train by comparison with the early days of the strike; during the previous week some 485000 tonnes of coal had been moved by road and rail. Oil burn had now reached 75 per cent of maximum and should reach maximum by the end of the current week. It was not yet clear exactly how matters would develop at the Special Delegate Conference (SDC) of the National Union of Mineworkers (NUM) on 19 April. It was possible that moderates would challenge the constitutional propriety of any attempt to change the rules concerning the majority required for a successful national strike ballot from 55 to 50 per cent. Any vote on such a motion at the SDC would be likely to provide the required majority of two thirds in favour of the proposed change but that did not necessarily mean that a national strike ballot would be called soon thereafter. The National Coal Board (NCB) would be maintaining their campaign to ensure that members of the NUM remained fully acquainted with the facts relevant to pit closures etc. It would also be useful for the NCB to point out to their workforce that once they had voted to give their union's National Executive Committee the power to call a strike they would have no right to a vote to end it.

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THE HOME SECRETARY said that once again policing arrangements had ensured that all miners who wanted to work had been able to enter their place of work. A disturbing new development over the past few days had been three separate incidents of damage to colliery equipment; at Silverdale colliery repairs to a conveyor belt were likely to cost some £50,000. The incidents were being investigated. An opposition MP had been arrested earlier that day during picket line disturbances at Deerness private colliery in County Durham.

THE MINISTER OF STATE DEPARTMENT OF TRADE AND INDUSTRY confirmed a previous report that steel production had been reduced by only 10 per cent and the British Steel Corporation (BSC) expected to meet all domestic requirements until at least the end of May. Steel supplies from Europe were likely to be affected by industrial action in a number of EEC countries. Coal and coke supplies were getting through to BSC's major steelworks at Teeside, Port Talbot and Llanwern; 2 trains per day were currently running to Ravenscraig but a further 600 plus tonnes of coal per week would be required if a reduction in production was to be avoided; despite an agreement with the NUM adequate supplies were not yet reaching Scunthorpe, but it was hoped to overcome the problem before a shutdown became necessary. No difficulties over supplies had been reported by privately owned foundries.

THE PRIME MINISTER summing up a short discussion said that the NCB should receive every encouragement in their continuing campaign to ensure that miners were clear about the issues involved; it would be particularly important during the period leading up to any national strike ballot that might be called for miners to know that a 'Yes' vote would effectively hand over absolute control of a strike, including the decision on when to end it, to Mr Scargill and that the high level of coal stocks would mean the certainty of a long strike. Government Ministers and spokesmen must continue to maintain a low profile and care must continue to be exercised to ensure that action by management outside the coal industry did not imperil deliveries of oil or unnecessarily risk widening industrial action being taken by other unions. No additional arrangements should be made at present for more direct approaches to employers in order to improve the quality of information about the effects of the dispute on industry. Some information ought in

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any case to be available through the NCB's management concerned with sales and marketing. Any comment made as a result of current press speculation about the possible use of servicemen to move pithead coal stocks should be based on a written answer given on 9 April to a question by Mr Nellist about whether the Ministry of Defence had "made specific preparations for military aid to the civil power in connection with the current dispute in the coal mining industry". The Minister of State for the Armed Forces had replied that no such preparations had been made. The Group would meet again on Wednesday 25 April unless events required a meeting later in the current week, in which case the Home Secretary would take the chair.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

17 April 1984

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MISC 101(84) 12th Meeting

COPY NO

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CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 25 APRIL 1984 at 2.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Sir Patrick Mayhew QC MP
Solicitor General

Mr David Waddington QC MP
Minister of State, Home Office

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Mr Giles Shaw MP
Parliamentary Under-Secretary of
State, Department of Energy

SECRETARIAT

Sir Robert Armstrong
Mr M S Buckley
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE
COAL INDUSTRY

SECRET

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF ENERGY said that, at the Special Delegate Conference (SDC) held on 19 April, the rules of the National Union of Mineworkers (NUM) had been amended to reduce from 55 per cent to 50 per cent the majority required in a ballot for national strike action. Rather than call a ballot, however, the SDC had passed a motion in support of the earlier decision by the NUM National Executive to promote a national stoppage by action on a regional basis. Following the SDC, the Nottinghamshire leadership of the NUM had called on their members not to work. Nevertheless, of 15 pits available for work, 12 had worked normally, and only one had decided to strike. Pits were also working in Staffordshire, Lancashire, Leicestershire, Warwickshire, North Wales and Cumbria. That day, in all, 40 pits were working normally and there was some production at 6 others. Four others in South Derbyshire were still on holiday. Where pits were working the turn-out of workers was encouragingly high. Supplies from open-cast operations, however, remained severely restricted by pickets, although some supplies continued to be moved to customers.

Stocks of coal at power stations had fallen in the previous week by 0.8 million tonnes. Taking into account the effect of maximum oilburn, which should be attained in the course of the week, this rate of consumption remained consistent with endurance up to the Autumn. 0.5 million tonnes of coal had been moved the previous week, 0.3 million of them to power stations: if deliveries to power stations could be improved to 0.5 million tonnes per week, endurance would extend to February 1985.

A meeting of the Coal Industry National Consultative Council was taking place that day, attended by the National Coal Board (NCB) and the coal unions other than the NUM. The NUM had declined an invitation to attend. The meeting would discuss the possibility of rephrasing the restructuring measures planned for the current year. The Chairman of the NCB, Mr McGregor, had indicated at the meeting of the Council during the previous week that he would be

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prepared to have such a discussion. The NCB had made clear both at the time and subsequently that acceptance by the unions of the need to reduce capacity by 4 million tonnes and manpower by 20,000 was a precondition for any rephasing. It was possible that Mr MacGregor might make a statement on the outcome of the meeting in the course of the day. He was clearing with Mr MacGregor a form of words about the offer of discussions on rephasing for use in connection with a Private Notice Question for answer that afternoon. In his answer, he proposed to state the number of pits and men currently working, to compare them with the position before Easter, and to make brief references both to the consultations which the NCB continued to offer the NUM and to events at the SDC on 19 April. If necessary, in response to supplementary questions, he would make it clear that current stocks of coal were sufficient for the endurance of a strike lasting many months.

THE SECRETARY OF STATE FOR TRANSPORT said that between 40 and 45 coal trains were expected to run that day. Only 3 were reported to be held up by action by railwaymen sympathetic to the miner's strike. Virtually all coal offered to British Rail was being delivered.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that, though his Department were not making detailed enquiries of industrial consumers, the information available suggested that the position was broadly unchanged and that no serious problem had emerged since before Easter. This was confirmed by the Confederation of British Industry, who had consulted a sample of their members. The position in the steel industry remained much as before. Production the previous week had been 94 per cent of average for a week in the first quarter of the year and production levels at Teesside and Port Talbot had been above the average. Deliveries of imported coal and coke had been made at Hunterston and Teesside.

THE MINISTER OF STATE, HOME OFFICE said that those miners who wished to go to their places of work had continued to be able to do so. The heaviest picketing that morning was at Bolsover and Cresswell in North Derbyshire. Picketing in Nottinghamshire had been relatively light, though more pickets were deployed than at the same time the previous week. All picketing had been reported as

peaceful. 500 demonstrators had been reported outside Lincoln Prison, where 4 miners were being held on remand after being rearrested for a second offence of obstruction while on bail on a similar charge. The demonstrators had now withdrawn, but there were reports that the local Labour Party intended a further demonstration that afternoon.

THE MINISTER OF STATE, SCOTTISH OFFICE said that there had been little significant change since before Easter in Scotland, except at one pit in Ayrshire where picketing had prevented maintenance staff from entering and where there was some danger that the coal face would be lost.

The following were the main points made in discussion -

- a. The President and General Secretary of the NUM were reported to be in Nottinghamshire that day seeking to rally support for the strike. It would be necessary to be alert for any change in the position there.
- b. It was important that discussions between the NCB and unions about the possible rephrasing of closures should not lead to an erroneous public impression that no further closures would be required in future in addition to those planned for the current year. Considerable numbers would, in fact, be required for the fulfilment of the Board's financial strategy. On similar grounds it would be undesirable for the impression to be given that the undertaking by the NCB of no compulsory redundancies in the current year extended indefinitely to future years.

THE PRIME MINISTER, summing up the discussion, said that in his answer to the Private Notice Question that afternoon and in replies to supplementary questions, the Parliamentary Under-Secretary of State, Department of Energy should take account of the need for the Government to avoid being represented as a party to the dispute, of the content of the oral reports which had been given to the Group, and of the points made in discussion. For the longer-term, the outcome of the Special Delegate Conference of the NUM on 19 April made it all the more important to maximise endurance, not only by oilburn and the use

of the Scottish interconnector, but also by achieving higher levels of deliveries to power stations. The Secretary of State for Energy should investigate and report on whether there were any obstacles to moving coal to the power stations from stock at pits which remained open. He should also investigate and report on whether it would be possible by any means to increase supplies from open-cast workings.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion, and invited the Parliamentary Under-Secretary of State, Department of Energy to be guided accordingly.
2. Invited the Secretary of State for Energy to report on -
 - a. whether there were any obstacles to moving coal to the power stations from stock at pits which remained open; and
 - b. whether it was possible to increase supplies from open-cast workings.

Cabinet Office

26 April 1984

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MISC 101(84) 13th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 30 APRIL at 10.00 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Douglas Hurd MP
Minister of State, Home Office

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Lord Trefgarne
Parliamentary Under-Secretary of
State for the Armed Forces
Ministry of Defence

The Rt Hon Alan Clark MP
Parliamentary Under-Secretary
of State, Department of
Employment

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that great union pressure continued to be applied both in public and in private to those union members who opposed the strike. A number of arrests on picket lines that morning might possibly reflect efforts by the national leadership of the National Union of Mineworkers (NUM) to raise the temperature of the dispute. Nevertheless, roughly the same number of pits was operating that morning as the previous week. In Nottinghamshire, a NUM branch meeting had been held at each pit at the weekend and a vote to continue to work passed in each case. A rally in favour of returning to work was expected the following day outside the Nottinghamshire Headquarters of the NUM. The Lancashire branch of the NUM was holding a delegate conference that day, the expected outcome of which was a call in favour of the strike in principle, but against tactics aimed at forcing out without a further ballot those who had voted to work.

Limited amounts of imported coal, most of it of special grades, continued to be landed at small ports and some slight reduction during the previous week had been reported in the picketing of open cast sites.

Media coverage of the dispute over the weekend had included an interview with the Deputy Leader of the Opposition, some of whose statements had sat ill with the record of previous Labour Governments on closures, pay and investment in the coal industry. "Panorama" that evening would include an item on the dispute including a recorded interview with Mr Scargill and an interview with Mr Ned Smith, Industrial Relations Director of the National Coal Board (NCB). He himself had been invited to appear, but had declined. Reports in the press of "compromise proposals" allegedly in preparation by the NCB for the resolution of the dispute were speculative and unfounded, as were reports that tripartite discussions were pending between the NCB, the NUM and the Government. A procedure for such talks did exist, but he had made it clear well in advance of the beginning of the strike that there was no prospect that he would agree to its use while no agreement existed between the NCB and the NUM to provide a basis for discussion. The NCB were considering, however, whether it might be desirable to make some gesture in favour of those miners who had continued

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to work, perhaps by paying them the wage increase currently on offer. The Board were aware that any such move would require the most careful handling.

He proposed shortly to provide a paper for discussion in a small sub-Group of means of rebuilding coal stocks for the winter of 1984/85.

THE MINISTER OF STATE, HOME OFFICE said that, in response to the threat by the President of the NUM to increase numbers of pickets in Nottinghamshire, 12 new Police Support Units (about 300 men) had been moved into the county, and more were available if needed. In spite of an increase in the numbers of pickets in Nottinghamshire that morning, and of the arrests which had taken place, those miners who wished to enter their places of work had been able to do so.

THE SECRETARY OF STATE FOR TRANSPORT said that the high levels of rail deliveries achieved at the end of the previous week were being maintained, with about 50 coal trains expected to run that day. The scale of the problem with rail movements had been reduced and currently concerned a single railman operating 1 signal box.

THE MINISTER OF STATE, SCOTTISH OFFICE said that 27 pickets were reported that morning at the steel works at Ravenscraig, where striking miners and the rail unions were still permitting only 1 coal train per day. Further discussions were due later that day between representatives of the steel workers and of the NUM and National Union of Railwaymen in an attempt to resolve the continuing inter-union disagreement.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that, Ravenscraig apart, there were no reports of major difficulties for industry, though he understood that the NCB were themselves beginning to feel some concern over the supplies of industrial coal available.

THE PRIME MINISTER, summing up the discussion, said that the maintenance of the number of pits working in the face of strong pressures to strike was encouraging. There was no sign, however, of an early ballot which might lead to an end to the dispute: indeed, it was possible that an early national ballot might not in current circumstances lead to a return to work. The Government should continue to leave the conduct of the dispute strictly to the NCB, whose

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handling of it the Group commended. The Government should continue to make clear, in spite of any speculation to the contrary in the media, that it was united both in its approach to the strike and in its determination to continue to refrain from becoming a party to the dispute whether in tripartite talks or otherwise. In the meantime, it was vital to maximise endurance both by achieving the maximum possible levels of coal deliveries and by exploiting to the full all alternative means of power generation. The Secretary of State for Energy should give a full report to Cabinet on 3 May on these matters, including the current attrition rate and details of any net effect from Bank Holidays. Discussion of possible means of rebuilding stocks for the winter of 1984/85 should take place as proposed by the Secretary of State for Energy in a smaller Group.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to report on endurance to Cabinet on 3 May on the basis described by the Prime Minister in her summing up.
3. Invited the Secretary of State for Energy to provide for discussion in a smaller Group a paper on possible means of rebuilding coal stocks for the winter of 1984/85.

Cabinet Office
30 April 1984

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MISC 101(84) 14th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 8 MAY 1984 at 11.45 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for
Trade and Industry

The Rt Hon Tom King MP
Secretary of State for
Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the same number of pits (121) was on strike as the previous week. The workforce at one colliery in Lancashire, comprising three pits, had suspended work following heavy picketing the previous week and would consider resuming normal working following the meeting of the National Executive of the National Union of Mineworkers (NUM) on 10 May. 43 pits were working normally: attendance was above average for the first day after a Bank Holiday.

Figures for production the previous week had been good (610,000 tonnes) and good figures were expected that week also. Good levels of coal movements had also been achieved: 75 trains had run the previous Friday, and 2 coal trains had run to Ravenscraig the previous Sunday. In all, 360,000 tonnes had been moved to the power stations during the previous week.

Current production and delivery levels, if maintained, would provide for endurance well into 1985. Mr Scargill had claimed that stocks remaining were sufficient only for 8 weeks. The lack of any basis for this claim was illustrated by the fact that Mr Scargill had made a precisely similar pronouncement on 7 February. It was important to establish the true position on endurance clearly in the minds of strikers and the public. Research carried out in depth by the National Coal Board (NCB) into the views of miners, however, had suggested that there was a surprising degree of ignorance about the redundancy terms which were on offer and about which pits were likely to be unaffected by closures. The NCB were planning a major campaign that week to put across more clearly to their employees the facts about redundancy terms and closures. It was their hope by doing so to bring out the extent to which claims being made by Mr Scargill were misleading and to build on indications which were beginning to become apparent that some falling off was taking place in support for his leadership.

THE HOME SECRETARY said that, in spite of heightened aggression in recent days on the part of pickets towards the police, those who wished to go into their places of work had continued to be able to do so. This was true of the 3 pits in Lancashire where normal work had been suspended.

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THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that there were no major problems with supplies of industrial coal except at Ravenscraig. There, despite the difficulties, planned production was being broadly maintained. The latest threat was to the plant's supplies of ore from Hunterston. At present, stocks at the plant were sufficient for 6 weeks. There were reports, however, that 2 coal ships currently off Hunterston might be prevented by dockers from being unloaded. There was some prospect that, at a meeting of the Scottish Trades Union Congress (STUC) that Thursday, the steel men and miners might reach an agreement on coal supplies to the plant which would not be acceptable to the management of the British Steel Corporation (BSC). He would be seeing the Chairman that afternoon. Closure of Ravenscraig at this juncture for any reason would cause grave damage to the BSC.

THE MINISTER OF STATE, SCOTTISH OFFICE said that no acute problems were reported in Scotland except at Ravenscraig. Cessation of coal supplies to the plant could lead quickly to closure and the position remained finely balanced. The strike continued to command strong support in Scotland, partly because of the militant tradition of Scottish miners and partly because of the strong personal influence of Mr McGahey.

THE SECRETARY OF STATE FOR TRANSPORT said that, as had been reported to the Group, coal movements continued at a high level. Industrial action was planned by the rail unions in pursuit of their pay claim, but this was not due to start until June, when initially it would be limited in extent. Negotiating procedures were not yet exhausted: the pace of negotiations was probably linked to the commitment of the National Union of Railwaymen (NUR) to refuse any link between pay and productivity questions. This commitment could not constitutionally be altered before the union's conference in July.

In discussion, the following were the main points made -

- a. It was not clear whether the Scottish Chief Constables were prepared to go as far as their English counterparts to prevent pickets from going to the scene of a possible disturbance. It was possible also that Scottish Chief Constables might feel an undue reluctance to call for the help of forces South of the border through mutual aid arrangements.
- b. It was necessary to make a further announcement soon on arrangements for meeting the costs of policing the dispute. Proposals would be circulated that day with a view to a possible announcement by the Home Secretary on

SECRET

AND PERSONAL

It might also be necessary soon to examine the possibility of recovering the costs to the Central Electricity Generating Board (CEGB) of oilburn through increased prices to consumers.

c. No reliable information was available about the course that events were likely to take at the National Executive of the NUM on 10 May. It seemed clear, however, that support for the strike would be reaffirmed in some way or other: it was known that some moderate members of the Executive would not be attending the 10 May meeting.

THE PRIME MINISTER, summing up the discussion, said that it was encouraging that the production and distribution of coal had been maintained at so high a level. On the other hand, there was no sign yet of a serious weakening of the strike. In the circumstances, although the NCB's further campaign that week to bring home to miners the redundancy terms on offer and the future which existed for most pits would require careful handling, it seemed the best tactic available to the Board. The Group should continue to watch developments closely, including any evidence of a falling off in support for Mr Scargill and the strike leadership and any developments in pay negotiations which made industrial action on the railways more likely. It was particularly vital from the point of view of endurance to avoid a combined coal and rail strike. Cabinet would return on the morning of 10 May to the question of the costs of policing the dispute: the Home Secretary should seek in the meantime to agree the basis of a further announcement with the Chief Secretary, Treasury and the Secretary of State for the Environment. The timing and handling of any further announcement would need further consideration in the light of events at the meeting of the National Executive of the NUM on 10 May. The Secretary of State for Scotland should explore and report on the questions raised in the discussion about the policing of the dispute in Scotland. He should establish in particular whether the Scottish Chief Constables were willing as a matter of policy to take action similar to that taken in England to prevent pickets from going to the scene of possible disturbances.

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The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Home Secretary to consult the Chief Secretary, Treasury and Secretary of State for the Environment on the basis for a further announcement on meeting the costs of policing the dispute; and to report to Cabinet on 10 May.
3. Invited the Secretary of State for Scotland to explore and report on the policing of the dispute in Scotland as indicated by the Prime Minister in her summing up.

Cabinet Office

8 May 1984

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MISC 101(84) 15th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 14 MAY 1984 at 4.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Mr John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

Mr Norman Lamont MP
Minister of State, Department of
Trade and Industry

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that on the previous Friday 49,000 miners had gone to work, the best attendance since the beginning of the strike. Productivity for the previous week had been high for a week of four days. The call made on stocks had been modest: less than 1 million tonnes had been drawn from stock in the past three weeks. There had been no sign of any positive response from Poland to the request by the National Union of Mineworkers (NUM) for coal imports to the United Kingdom to be stopped. Attendance in Nottinghamshire that morning was higher than normal since the beginning of the strike.

A local NUM meeting requisitioned on 11 May at Manton colliery in South Yorkshire to call for a return to work had broken up without a vote after Mr Taylor, the leader of those supporting a resumption of work, had been shouted down. Full accounts had not yet been received of the large rally in the support of the strike that day at Mansfield. First reports, however, were that Mr Scargill had said that he was prepared for the strike to continue to November or December if necessary. This contrasted with his recent claim that stocks of coal were sufficient only for eight weeks.

Rail deliveries continued apparently unaffected by the meeting Mr Scargill had had with the transport unions seeking increased support for the strike. It was most important that industrial action on the railways, which was now threatened in a limited form, should not result in the loss of coal deliveries, which would be an obvious and vulnerable target if the rail dispute were to be stepped up.

THE HOME SECRETARY said that there had been no significant change in the position as it affected those miners wishing to work. In response to reports of intimidation, which had so far been hard to substantiate and prosecute because of the difficulties of obtaining evidence and the pressures on those affected, the police were attempting to maintain an effective presence, not solely at the collieries, but also in neighbouring villages.

SECRET

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He was arranging for information on arrests and charges to be gathered on a more regular and systematic basis. Since the beginning of the dispute, there had been 1975 arrests. The great majority of those arrested had been miners: some unemployed men and students had also been arrested, but their numbers were insignificant except in the case of students from Essex University. Most, but not all, of those arrested had been charged. Charges ranged from obstruction to serious criminal offences including theft, assault and possession of offensive weapons. The few cases which had been reported in which miners had been remanded in custody had related to breaches of existing bail conditions and those concerned had since been released. Some cases, mainly involving guilty pleas, had been heard, but the great majority of cases arising from the dispute remained outstanding. Though it was not uncommon for magistrates, who were free to follow their independent judgement in the matter, to adjourn cases arising from alleged offences committed during industrial disputes, there were no grounds for fearing that serious offences were remaining unprosecuted or that any general or indefinite delay in proceeding with outstanding cases would be countenanced by magistrates.

THE SECRETARY OF STATE FOR TRANSPORT said that, despite an isolated incident in which four signal boxes in Nottinghamshire were vandalised, one of them being set alight, British Rail (BR) continued to run sufficient trains to move all the coal produced. The rail unions had met Mr Scargill and were under pressure to provide more active support for the miners' strike. In his judgement, provision of this support was the true motive of the union leadership in calling for limited industrial action, ostensibly over pay, from 30 May although negotiating procedures had not yet been fully exhausted. He supported the Chairman of BR, Mr Reid, in his intention to give wide publicity to the management's offer of a number of dates to continue with negotiations. It remained to be seen how the union members would respond to the call for industrial action. Serious damage could be caused by comparatively few railways if action were eventually taken against coal supplies. The management were understandably determined, however, not to give way in the negotiations on productivity items which were outstanding from the previous year. He took the view that, rather than compromise in this respect, it would be preferable for Mr Reid to increase the existing pay offer from 4.3 per cent to the ceiling already agreed of 4.6 per cent, and possibly a little further, if it was clear that to do so would clinch a settlement.

THE MINISTER OF STATE, DEPARTMENT OF TRADE AND INDUSTRY said that the steel works at Scunthorpe and Llanwern were maintaining production in spite of some shortages of special coals. Deliveries by rail had resumed at Ravenscraig. It had been reported that at Hunterston a coal ship had succeeded in docking without the assistance of tugmen. There was no general problem for industries other than steel, though, as previously reported, some suppliers to the National Coal Board (NCB) were suffering badly from the loss of their normal business.

In discussion, there was agreement that the determination of BR to stand firm on productivity matters was understandable. The time might come, however, when some flexibility on the part of the management in respect of those requirements might be preferable to the risk of effectively co-ordinated industrial action by both miners and railwaymen.

THE PRIME MINISTER, summing up the discussion, said that it was most important to avoid combined industrial action in the rail and coal industries, both because of the need to maintain as far as possible the isolation of the miners from the effective support of the rest of the union movement and because of the potential effects on deliveries of coal. This was not an immediate threat, however, and the response of the BR workforce to the union's call for limited industrial action from 30 May remained to be seen. The Secretary of State for Transport, bearing in mind the points made in the discussion, should continue to keep closely in touch with developments. Meanwhile, there were no signs of a break in the coal strike itself. If this continued to be the case for a further 2-3 weeks, it would be appropriate for the Government to review carefully all the tactical options for dealing with the dispute. This review should include any means of increasing the effectiveness of the enforcement of the criminal law to counter violence and intimidation; and the possible role of the civil law in restricting the effectiveness of the strike. The Attorney General, consulting the Home Secretary, and involving the Secretaries of State for Energy, Scotland and Employment as necessary, should consider and report to the Group on these matters.

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The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Attorney General, in consultation with the Home Secretary and the Secretaries of State for Energy, Scotland and Employment, to consider and report on the matters indicated by the Prime Minister in her summing up of the discussion.

Cabinet Office

15 May 1984

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MISC 101(84) 16th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 21 MAY 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Mr David Mitchell
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that both deliveries and attendance during the previous week had been the best since the strike began. Nearly 700,000 tonnes of coal had been delivered, about 450,000 of them to power stations. There had been virtually no shortfall in deliveries to industrial consumers. Attendance for that day was higher overall than at the same time in the previous week. Small numbers of miners had attempted to go back to work that morning at two pits in North Derbyshire and one in South Wales: four had gone into one of the Derbyshire pits and six into the other. The net effect of recent developments was that the same number of pits continued to work normally, the same number continued in partial production and the number where some men were attending had increased by two.

Mr Scargill had announced that afternoon that the National Coal Board (NCB) had cancelled a meeting which had been arranged for the following day between himself and Mr MacGregor through one of the smaller mining unions acting as an intermediary. The true reason for the cancellation was Mr Scargill's insistence that, as a pre-condition, all planned closures should be abandoned. Mr MacGregor was currently meeting the Opposition spokesman on Energy (the Rt Hon Stan Orme MP) but would be holding a press conference afterwards to put the record straight on the reason for the cancellation.

A problem had arisen because some miners who had volunteered for redundancy were receiving the capital sums due to them, but not the income support that they would normally receive in addition. This could not legally be paid while the miners concerned were on strike. To maintain good faith on the part of the Government and NCB, it was necessary to give an assurance that the necessary action, including legislative action if necessary, would be taken to ensure that the miners concerned would eventually receive their full entitlement under the code.

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AND PERSONAL

The signs that morning of a desire to return to work, though very limited, were encouraging when taken together with the low rate of attrition on coal supplies, the continuing flow of deliveries from working pits and from imports and indications in recent speeches by Opposition spokesmen of weakening in Opposition support for the strikers' case.

THE HOME SECRETARY said that the police had been able to ensure that the small numbers of miners who wished to return to the two Derbyshire collieries referred to by the Secretary for Energy had been able to do so. This had not been possible, however, at the Welsh colliery concerned, where a lack of prior knowledge of the intentions of the men concerned had prevented the deployment of the police resources necessary to ensure that they could get in. More generally, the special measures taken by the police to counter intimidation had received wide publicity and had been well received.

It had just been reported that Mr Malcolm Pitt, Kent President of the National Union of Mineworkers (NUM), had been remanded in custody for nine days following a breach of his previous bail conditions.

THE SECRETARY OF STATE FOR EMPLOYMENT said that the application by members of the Nottinghamshire NUM for an injunction against the declaration of the strike as official by the national and county leadership of the union was due to be heard on the following day. Their chances of success were uncertain. The General Council of the Trades Union Congress was to meet on 23 May, when it was likely that the question of support for the miners would be discussed.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that some problems had been reported over supplies of coke for foundries and some industrial users of coal were reported to be incurring increased costs because of a switch to imports or to alternative fuels. There were no major difficulties, however. Although production by the British Steel Corporation in the previous week had been 90 per cent of the average for a week in the first quarter, some difficulties were in prospect particularly over the blend of coal required for Scunthorpe and Llanwern. It was likely that satisfactory arrangements for supplies could be negotiated in the case of Llanwern, but there could be difficulties in doing so in the case of Scunthorpe.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that, for the first time in the dispute, more than 300 principal coal trains had run during the last week. In addition, 360,000 tonnes of coal had been moved by road. 45 principal coal trains were expected to run that day, a high figure for a Monday during the strike. A meeting was taking place that afternoon between the British Rail Board and union negotiators on pay: the Chairman of the Board, Mr Reid, was hopeful that a deal could be struck, but the outcome was far from certain.

In discussion, the following were the main points made -

- a. Care should continue to be taken to maintain the flow of coal from all sources, including imports. Scope for the expansion of imports was limited, however, by their sensitivity in industrial relations terms, by the limited handling facilities which existed at the docks and by the concentration of such facilities at major ports where both visibility and vulnerability to sympathetic action were high.
- b. An effective tactic of Mr Scargill's had been to mount a sustained attack alleging indifference on the part of the NCB to the destruction of jobs which would result from closure proposals. Many schemes were in operation which would help redundant miners to find new work. It would be to the advantage of the Board to give more public prominence to this information.
- c. The income support to redundant miners referred to by the Secretary of State for Energy took the form of a supplement to the unemployment benefit which the redundant person would normally receive but which was not payable while he was on strike. It should be made clear that any undertaking given in respect of this income support did not apply to the amounts which would normally be received as unemployment benefit, payment of which to strikers would not be justified either on legal or on policy grounds.

THE PRIME MINISTER, summing up the discussion, said that, to the extent that changes in the situation were occurring, they continued to work against the interests of the strikers. Although this was encouraging, there was still

no sign of any major failure of support for the strike. Efforts should therefore continue to be made to deliver as much coal as possible from all sources, particularly to power stations; and if possible to reduce the rate at which coal was being consumed there still further. It was necessary to find a solution to the problem raised by the Secretary of State for Energy concerning payments to redundant miners in a way which maintained the good faith both of the NCB and the Government, but which did not compromise the principle that unemployment benefit or sums in lieu should not be payable to those on strike. The Secretary of State for Energy should agree with the Chancellor of the Exchequer how this difficulty should be solved and report to the Group.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to agree with the Chancellor of the Exchequer and report to the Group a means of overcoming difficulties which had arisen over the payment of income support to redundant miners while retaining consistency with the principle referred to by the Prime Minister in her summing up.

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22 May 1984

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MISC 101(84) 17th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 30 MAY 1984 at 4.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Mr David Mellor MP
Parliamentary Under-Secretary
of State, Home Office

Mr John Butcher
Parliamentary Under-Secretary
of State, Department of Trade
and Industry

SECRETARIAT

Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that, because of holidays, only 11 pits were working fully that day. This was equivalent in normal circumstances to 45 pits fully working. Two pits at one colliery in Lancashire were newly producing some coal. Despite reduced production due to the holiday, it was hoped to move that week 60 per cent of the amount of coal moved in the previous week: some coal was being taken from stock and open cast operations continued to contribute.

The violence of the previous day had been repeated that afternoon at the British Steel Corporation's (BSC's) coking works at Orgreave. That morning had been comparatively quiet in spite of the arrest of Mr Scargill, who had been released on unconditional bail until 10 July charged with obstruction. Coke was not being made at Orgreave and would eventually run out there. Stocks were 16,000 tonnes and weekly consumption at Scunthorpe 6,000 tonnes. Arrangements had been made for Scunthorpe to be supplied from imports when the Orgreave stocks ran out. This would no doubt require a further major police operation. The cessation of coke movements from Orgreave would require very careful presentation, given the importance placed on picketing there by Mr Scargill as a trial of strength. He would discuss handling with the Secretary of State for Trade and Industry and the Chairman of BSC.

Further talks had been arranged to take place in confidence shortly between the National Coal Board (NCB) and National Union of Mineworkers (NUM). Mr Scargill, Mr McGahey and Mr Heathfield would attend for the union: the Board would be represented by senior officers but not by Mr MacGregor, who took the view that it would be preferable from a tactical point of view not to take part at this stage. The NCB had in hand contingency plans to contact each miner directly should it seem appropriate to do so in the light of events at the talks.

THE PARLIAMENTARY UNDER SECRETARY OF STATE, HOME OFFICE said that picketing at Orgreave had not come near to halting supplies from the depot in spite its violence. Workers at the plant had continued to go in. Though the use by police on the previous day of dogs, horses and riot gear had not been resorted

to lightly, the police were confident that they could continue to cope. They would clearly be disturbed if any cessation of supplies from Orgreave should appear to be due to the success of violent tactics pursued there by the pickets.

That morning, 30 miners had entered Hobart House, the London Headquarters of the NCB, and occupied part of the Industrial Relations Section. The hand of a Commissionaire had been cut during their entry. They had gained possession of some papers, but these had apparently been no more than a position report which would have been released to the press later in the day in any event. The NCB had confirmed that there had been no access to sensitive papers. Police assistance had not been requested, though some arrests took place outside, where a number of supporters had gathered, after the intruders left the building at noon.

THE SECRETARY OF STATE FOR TRANSPORT said that the settlement of the railwaymen pay negotiations had been welcome in spite of misleading suggestions in the media that the British Rail Board had given way on productivity requirements. The railways were able to move any coal offered.

In discussion the following were the main points made.

- a. In the light of recent events, particularly at Orgreave, the time might be right for civil action to be taken against the NUM in the courts. The picketing at Orgreave was plainly secondary and in breach of the Code of Practice, to which the TUC had agreed, under the Employment Act 1980. There was good reason to expect that civil action could be successful and that it could be made to bite effectively on the union's assets if a court judgement was not complied with. On the other hand, it was argued that civil action in the courts was not bound to succeed and was subject to difficulties of proof. Even if successful, it was unlikely to ease circumstances such as those at Orgreave, where clear branches of the criminal law were taking place and the problem was principally one of enforcement. In any event, recourse to civil action in the courts was in the first instance a matter for the judgement of management in the industries affected.

- b. The holding of discussions between the NCB and NUM was being taken as an indication that the strike might soon be settled and that the Board were prepared to move. While strikers continued to have this impression, any drift back to work would be arrested. There was therefore likely to be little advantage to the NCB in seeking artificially to prevent the breakdown of talks if, as seemed likely, they failed to establish a basis for a settlement acceptable to both sides.

THE PRIME MINISTER, summing up the discussion, said that the Secretary of State for Energy would discuss with the Secretary of State for Trade and Industry and the Chairman of the BSC the handling of the eventual cessation of coke movements from the Orgreave depot. Recent events there, and in particular the increasing extent to which the police had been exposed to violence, were disturbing. She would wish at the earliest possible opportunity to consider the report currently being prepared by the Attorney General, in consultation with the Home Secretary and other Ministers concerned, on the tactical options for dealing with the dispute, including the roles of the civil and criminal law. Meanwhile, it was important that the confidential discussions which the NCB was having with the NUM should be conducted skilfully and sensitively and that the negotiating brief of the NCB representatives should be clearly delineated. She would convene a meeting later that week of the Ministers chiefly concerned to consider further the prospects for the negotiations and their relationship to the plans of the NCB for handling the dispute in the longer term.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to discuss with the Secretary of State for Trade and Industry and the Chairman of BSC the handling of the eventual cessation of movements from the Orgreave depot.

Cabinet Office
31 May 1984

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MISC 101(84) 18th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 5 JUNE 1984 at 11.45 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for
the Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the Armed
Forces, Ministry of Defence

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that attendances for the current week were good. 44 pits were working normally that day. In addition, 7 were producing some coal, 3 of them in near-normal amounts. A further 6 pits had some men at work. 4 men had gone into pits in Scotland that morning. Levels of coal movements remained high in spite of further ineffective efforts by Mr Scargill to enlist the support of the Amalgamated Society of Locomotive Engineers and Firemen (ASLEF) and the National Union of Railwaymen (NUR).

Talks between the National Union of Mineworkers (NUM) and National Coal Board (NCB) were due to continue that week. The opening session the previous week had made no real progress. It had broken up following a request by the NUM for time to consider their response to a request by the NCB for proposals particularly on the future of uneconomic pits. Public comment by Mr Heathfield following the discussions had been comparatively restrained, in contrast to that by Mr Scargill, who had reiterated the NUM's previous hard line on closures.

He had met the Home Secretary, Secretary of State for Trade and Industry and Chairman of the British Steel Corporation (BSC) earlier that morning to agree arrangements for the cessation of coke movements from Orgreave calculated to make it clear that cessation was due to run-down of stocks and that it represented victory for the tactics of the police and defeat for those of the pickets. Coke would continue to be produced at Orgreave at the reduced rate of 2000 tonnes per week and there were plans for the resumption of movements once stocks had built up once more to a worthwhile level.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that production of steel by the BSC was running at about 90 per cent of normal. The Chairman hoped to increase this level of production. Most of the shortfall was occurring at Scunthorpe and was due to shortage of coke.

THE SECRETARY OF STATE FOR TRANSPORT said that the general position regarding movements of coal by rail continued to be encouraging. A local problem was in prospect, however, over the Fiddlers' Ferry power station on Merseyside, which

SECRET

AND PERSONAL

was coming back into operation following a local dispute. Rail movements to the power station were vulnerable to action by a particularly militant group of local signalmen who had said that they would not allow coal trains to run. It was likely that any action by these men against coal trains would also have the effect of closing down the main, West Coast line.

THE SECRETARY OF STATE FOR EMPLOYMENT said that misleading reports had appeared in the press following a speech which he had made at the weekend to the Conference of Conservative Trade Unionists, referring to the provision in the Trade Union Bill to make immunity for a strike dependent on the holding of a proper secret ballot. At a press conference subsequently he had said that he was considering whether the Bill should be amended so that there would in addition be a requirement for a majority vote in favour of strike action. As at present drafted, the Bill required only that a ballot should be held: this left open the possibility that a strike might be called and enjoy immunity even though the majority had voted against it in a ballot. He would prepare a paper setting out the issues for collective discussion.

THE ATTORNEY GENERAL said that the Derbyshire NUM had voluntarily given undertakings to the High Court on the previous day that members who crossed picket lines would not be deprived of union membership or benefit until a full hearing had taken place, probably towards the end of the month, of an action brought by three Derbyshire miners against the union.

THE MINISTER OF STATE, SCOTTISH OFFICE said that a disagreement had emerged between management and shop stewards at Ravenscraig. Management argued that current levels of coal deliveries were not sufficient to give reasonable guarantees for the safe operation of the two blast furnaces which were working. Shop stewards at the plant disagreed and were declining to press the NUM to agree to higher levels of coal deliveries. It was possible that there might be a need to revert to arrangements for supplying the plant by road.

In discussion the following were the main points made.

- a. It had not been publicly clear after the latest talks between the NCB and NUM that the onus for producing further, constructive proposals rested with the Union. The Union Side had sought publicly to present

the handling of the talks by the Management Side as implying a rift between the Government, the Chairman of the NCB and senior NCB staff on the issues in the dispute. There was little hope that the talks could produce a settlement acceptable to both sides. If the talks were to break down at the next meeting, it should be made clear that the cause was the refusal of the NUM to adopt a realistic approach to the issue of closure of uneconomic pits, and not intransigence on the part of the NCB.

- b. The main burden in the handling of the dispute continued to fall on the police. It could be argued that this burden would be eased if management in the industries affected by unlawful picketing had recourse to the civil law. On the other hand, it was not certain that recourse to the civil law would in practice have this effect. An unsuccessful court action could be a serious setback to efforts to withstand the strike. If court orders following successful civil action were not complied with, enforcement could be difficult in itself and might actually increase the problems of the police in maintaining public order. The view of Chief Police Officers, who had been consulted, was that civil action in the courts was not in present circumstances likely to make the task of policing the dispute any easier.

THE PRIME MINISTER, summing up the discussion, said that it appeared likely that the talks between the NUM and NCB would break down that week because of the intransigence of the NUM over the closure of uneconomic pits. It would be important that responsibility for the breakdown should clearly lie with the NUM and that the NCB should be able to demonstrate their own good faith. The Secretary of State for Transport should discuss with the Secretary of State for Energy how best to handle the problem which had arisen over supplies of coal by rail to Fiddlers' Ferry power station. The Secretary of State for Scotland should examine and report on whether transfers of electricity from Scotland to England and Wales through the interconnector were being maximised. More generally, there was no reason at present for a change in the Government's approach to the dispute. On the civil law, the Group took the view that the balance of advantage was still against action in the courts by management in the industries concerned, but if circumstances changed significantly they should

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AND PERSONAL

reconsider this and related issues in the light of the report which had been prepared by the Attorney General on tactical options in the dispute, including the relevance of the civil and criminal law. The Group agreed that recent events required earlier collective decisions on the form of the provisions in the Trade Union Bill on strike ballots and trade union immunity to be reconsidered by the Ministerial Sub-Committee on Economic Affairs. Ministers should, so far as possible, keep public discussion of the point in a low key in the meantime.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Transport to discuss with the Secretary of State for Energy the approach to be adopted to supplies of coal by rail to Fiddlers' Ferry power station.
3. Invited the Secretary of State for Scotland to examine and report on whether transfers of electricity from Scotland to England and Wales were being maximised.
4. Invited the Secretary of State for Employment to bring forward to the Ministerial Sub-Committee on Economic Affairs further proposals on provisions in the Trade Union Bill on strike ballots and trade union immunity.

Cabinet Office

6 June 1984

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MISC 101(84) 19th Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 12 JUNE 1984 at 5.15 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

Mr Norman Lamont MP
Minister of State,
Department of Trade and Industry

Mr Michael Ancram MP
Parliamentary Under-Secretary
of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET

AND PERSONAL

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SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 41 pits were working normally that day. 2 pits which had previously worked normally were on holiday. A further 7 pits were turning some coal, 3 at levels near normal. The number of men going into work was larger that day than on the previous day. At one Scottish pit where 4 men had returned to work on 5 June, 27 had gone in that morning.

740,000 tonnes of coal had been moved the previous week, including 450,000 tonnes to power stations. Only 300,000 tonnes had been drawn down from power station stocks. In spite of difficulties the previous day at the British Rail (BR) depot at Shirebrook, more coal had been moved than on the previous Monday.

A meeting had taken place as expected on 8 June between representatives of the National Union of Mineworkers (NUM) and National Coal Board (NCB). Mr MacGregor had attended. Both he and Mr Cowan had been surprised at the extent to which the NUM side, including Mr Scargill, had appeared worried and under pressure. After Mr Scargill had shown signs of willingness to discuss a definition of exhaustion which might extend in practice to the uneconomic pits which the NCB wished to close, Mr MacGregor had thought it right to offer the NUM a further meeting at which they could put forward their proposals for such a definition. This further meeting was to take place the following day. The view of the NCB negotiators was that it was likely that the talks would break down at that meeting. Reports in the media which gave the impression that the initiative for producing new proposals lay with the NCB, rather than the NUM, were misleading, as were suggestions arising from an interview with Mr MacGregor in "The Times" that day that the Board was preparing to put to the NUM "a new plan for coal". Both in discussions with the NUM and in his interview with "The Times", Mr MacGregor had maintained the line which the Board had been pressing throughout the dispute both on closures and on the reduction of surplus capacity.

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THE SECRETARY OF STATE FOR TRANSPORT said that 48 railmen had been sent home the previous day from BR's Shirebrook depot after refusing to handle coal trains. Following an interruption of traffic during the day, coal trains had begun to run from the depot once more in the evening and a good proportion of normal daily deliveries had finally been made. The position at the depot that day was close to normal.

Coal traffic to Llanwern had been interrupted that day after 4 coal trains had run to the plant in the early morning. Large-scale deliveries had recommenced by the late afternoon, however.

THE MINISTER OF STATE FOR TRADE AND INDUSTRY reported that there had been no significant changes in supplies to steel works. Heavy picketing was reported that day, however, at Flixborough and the other Trent ports through which the British Steel Corporation's (BSC's) plant at Scunthorpe was being supplied.

THE PARLIAMENTARY UNDER SECRETARY OF STATE, SCOTTISH OFFICE said that coal movements by rail to the BSC plant at Ravenscraig were continuing. Deliveries were still below the level thought by management to be necessary to maintain both the blast furnaces which were in operation at the plant, but local officials of the Iron and Steel Trades Confederation, after some initial reluctance to join in pressing the rail unions for higher supplies to be allowed into the plant, had now agreed to do so.

Heavy picketing had been reported that day both at Perth Harbour and at one coal depot in Scotland, with some arrests at each.

The Secretary of State for Scotland had been invited at MISC 101(84) 18th Meeting on 5 June to examine and report on whether transfers of electricity from Scotland to England and Wales were being maximised. The interconnector was operating at or even slightly above its rated maximum during weekdays. The amounts of electricity being transferred at night and at weekends were the maximum that the Central Electricity Generating Board (CEGB) could take.

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In discussion the following were the main points made.

- a. Following the meeting on 8 June, the impression had been given in the media that the obligation for producing new proposals in the talks between the NUM and NCB lay with the Board rather than the union. This impression was both wrong and unfortunate. It was apparently due largely to misleading reporting by the media. The talks due to take place between the NCB and NUM on the following day would need even more careful public presentation by the Board than earlier rounds, particularly if, as seemed likely, the outcome was a breakdown owing to a failure on the part of the NUM to bring forward constructive proposals.
- b. The possibility could nevertheless not be ruled out that the NUM might offer a definition of exhaustion which would in practice allow the NCB to fulfil its existing plans for reductions of excess capacity and closure of uneconomic pits. Mr Scargill would no doubt seek to present even this outcome as a victory for the strike. It would be most important that the hollowness of such a claim should be apparent both to public opinion and in particular to the miners. This ought not to be difficult to achieve, particularly if, as was to be hoped, any end to the strike on this basis was preceded by a return to work by increasing numbers of strikers.

THE PRIME MINISTER, summing up the discussion, said that the Group awaited the outcome of the further talks due to take place on the following day between the NUM and the NCB. It was most important both that the NCB should continue to stand firm on the essentials of their case and that the Board's handling of the talks should not allow the NUM the opportunity to misrepresent the outcome to the presentational disadvantage of the Board. The Group had noted the report by the Attorney General on means of increasing the effectiveness of the enforcement of the criminal law to counter violence and intimidation; and the possible role of the civil law in restricting the effectiveness of the strike (MISC 101(84) 2). Whether it would be appropriate to discuss the report in detail at the Group's next meeting or subsequently would depend on the events of the next few days. For the present, the Group had noted it as a full and helpful review of the issues which the Attorney General had been asked to examine.

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The Group -

Took note with approval of the Prime Minister's summing up of their discussion.

Cabinet Office

13 June 1984

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MISC 101(84) 20th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 18 JUNE 1984 at 4.15 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Lord Trefgarne
Parliamentary Under Secretary of State
for the Armed Forces, Ministry
of Defence

Mr Michael Ancram MP
Parliamentary Under-Secretary of
State, Scottish Office

Mr David Mitchell MP
Parliamentary Under Secretary of State,
Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that deliveries of coal the previous week had continued at levels which were high in the circumstances. Three pits which had been on holiday the previous week had returned to work that morning. One pit which had been producing coal was on maintenance that day. In all, forty-three pits were working normally and a further pit which had been working normally was on holiday. At one pit in Scotland where some miners had returned to work, face workers had reported that morning for the first time and there was the prospect of some production soon.

In addition to the serious violence at Orgreave, there had been heavy and unpleasant picketing that morning at Shirebrook. Both that day's convoys of lorries from Orgreave had got through in spite of the tactics resorted to by pickets in an attempt to stop them.

It was noticeable that once again violent picketing had coincided with the presence of Mr Scargill. It was understood that the injuries which had led to his admission to hospital that day had occurred when he had slipped down a bank.

There were no plans on the part of the National Coal Board (NCB) to proceed with a management ballot. The suggestion that a ballot was being prepared had arisen from a misreported remark of Mr MacGregor's, made in answer to a question at a Press Conference. A letter would, however, be sent by the NCB to all miners on 20 June, and a further letter was planned for the following week.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that he had met the Chairman of the British Steel Corporation (BSC) earlier that day. The intention of BSC was still to suspend coke runs from the Orgreave depot on 22 June. The press release to that effect which had originally been intended for release on the following day had been released a day early at the request of the police. As a result of the day's violence, the depot itself had suffered damage to

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AND PERSONAL

pumps and railways, as well as the loss of its gates and other, more superficial damage. BSC staff at the depot had been understandably alarmed. It was not yet entirely clear what statements had been made by the local BSC management, but they had agreed to run the second convoy of the day, after some initial reluctance, when they had received an assurance from the police that it could be got through. It remained the clear public intention of the BSC that coke runs from Orgreave should continue until 22 June.

He had discussed with the Chairman the question of coal supplies to Llanwern and Ravenscraig in the event of the blacking of coal movements threatened by railwaymen's unions from midnight that night. The BSC were confident that they could revert to arrangements to supply Ravenscraig by road, but were in some doubt whether this could be achieved in the case of Llanwern. The Chairman was seriously considering recourse to the civil law. Time for consideration was short: if coal supplies were to cease that night, it would be necessary to bank the furnaces at Llanwern on 20 June. Civil action might take the form of injunctions against the National Union of Railwaymen (NUR) and Associated Society of Locomotive Engineers and Firemen (ASLEF) over blacking or against the National Union of Mineworkers (NUM) over picketing. Evidence for either course was available, but the Chairman had in mind that the chances of effective enforcement of an injunction might be better against the rail unions than against the NUM, whose finances were less centralised.

THE HOME SECRETARY said that he had had discussions with representatives of both the Association of Metropolitan Authorities (AMA) and Association of County Councils (ACC) about the arrangements which had been made for an extra contribution from the Exchequer towards the cost of policing the dispute. It was clear that the present arrangement to meet centrally 90 per cent of the costs of policing the dispute in excess of the product of a 1p rate, generous though it was, still left the authorities most severely affected to bear a serious additional burden. He was consulting the Chief Secretary, Treasury on an arrangement which would meet the genuine concern of the authorities most seriously affected while maintaining the principle that some contribution should continue to be made from local sources to the costs of policing the dispute.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that the BSC plants at Ravenscraig and Llanwern had received three principal coal trains each on the previous day. British Rail (BR) had reported earlier that day that they did not see current difficulty at Llanwern.

During the previous week, BR had tightened up discipline at their Shirebrook depot. Men refusing to work coal trains had been given time for reflection and, if they persisted, sent home without pay. This tactic had been successful, and BR intended to apply it during the current week at their depots at Coalville and Toton.

In discussion the following were the main points made -

- a. It had been widely and inaccurately reported in the media that coke runs from Orgreave had been suspended because of violent picketing there. No doubt BSC would be acting quickly to ensure that this damaging impression was not allowed to stand.
- b. The question of recourse to the civil law was one for management in the industries affected by the dispute. Action against the NUR and ASLEF might have attractions for BSC from the point of view of effective enforcement. It could no doubt also be argued in favour of action against the rail unions and not against the NUM that the threat of action by railwaymen was a more immediate and serious threat to the Corporation's commercial interests than NUM picketing. On the other hand, taking action against the rail unions but not against the NUM in spite of the tactics which NUM members were pursuing on picket lines at BSC premises might be difficult to justify to public opinion and might seem an acknowledgement that violence could be indulged in with impunity. The BSC would no doubt give appropriate weight to the likelihood that, if they sought an injunction against the rail unions, movements of coal by train in the Midlands would be brought to a halt.

THE PRIME MINISTER, summing up the discussion, said that the Group had noted the consultations which were taking place between the Home Secretary and Chief Secretary, Treasury on arrangements for contributions from the Exchequer

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to the cost of policing the dispute. They should report the outcome to the Group. It was to be hoped, following the serious turn of events at Orgreave that morning, that the BSC would take prompt action with the media to put the record straight on their intentions regarding movements of coke from the depot. This was most important if it was to be made clear that the violent tactics of the pickets had not succeeded. The Group should meet again later that week to discuss developments on picketing at Orgreave and elsewhere and the extent of any response by the railwaymen to union calls for the blacking of coal movements to steel works.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Home Secretary to report to the Group the outcome of his consultations with the Chief Secretary, Treasury on arrangements for Exchequer contributions towards the cost of policing the dispute.

Cabinet Office

19 June 1984

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MISC 101(84) 21st Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 20 JUNE 1984 at 10.15 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr David Mitchell MP
Parliamentary Under-Secretary of State
Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET

AND PERSONAL

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 43 pits were working normally that day. A further 2 which would otherwise be working normally were on holiday. In addition, there were 7 pits producing some coal and a further 5 with some men in. In Scotland, Bilston Glen should produce some coal that afternoon for the first time since the limited return to work there had begun. Movements of coal for the week so far were consistent with levels achieved in recent weeks.

The regular monthly meeting had taken place on the previous day between the National Coal Board (NCB) and the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) and British Association of Colliery Managers (BACM). There had been some criticism of the interview with Mr MacGregor which had been published in "The Times" on 12 June, the day before talks between the NCB and National Union of Mineworkers (NUM) were due to resume. Both NACODS and BACM were clearly worried about damage to pits if the strike continued and were anxious that it should be brought to an early conclusion.

The NCB were aware that the British Steel Corporation (BSC) were considering seeking an injunction against the NUM. He understood the Board's view to be that this would be untimely and likely to swing the support of other unions behind the NUM.

He understood that the NCB were considering changes in their publicity arrangements. The Chairman of the Board had arranged to keep him informed. A letter from the NCB to individual miners had been posted that morning. It included a strong paragraph on the danger that continuation of the strike might physically damage pits. This was thought to be the subject of serious anxiety on the part of many striking miners. A further letter to miners, to be distributed locally, was planned.

THE HOME SECRETARY said that no large-scale picketing had been reported that morning.

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THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that, in the 24 hours to 4.00 am that morning, the steel works at Ravenscraig had received 4 coal trains, double the daily requirement for the plant. Llanwern had received 4 coal trains and 6 coke trains. Railwaymen had refused to run trains that morning either to Ravenscraig or Llanwern, however.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that steel production by the BSC for the previous week had been 267,000 tonnes, only 12,000 tonnes short of the target levels set before the strike occurred. Picketing of steelworks that morning was light. At Llanwern, the NUM had asked for a further meeting with representatives of steel workers. BSC had been asked to agree that supplies would not be moved by road before that meeting took place. They had agreed, but had made it clear that no agreement which required either the banking of furnaces or a substantial reduction in production would be acceptable to them. The Corporation had made contingency arrangements for the use of 30 lorries to move coal and coke to Llanwern. They would need 50-60 lorries if the plant was to be satisfactorily supplied by road alone and double that number if it were necessary also to move ore by road.

Plans at Ravenscraig to revert to arrangements for supplies by road would be put into operation by that afternoon following the refusal of railwaymen to operate the coal trains due that morning. There was no immediate foreseeable need to bank down furnaces at either plant. If a prolonged interruption of supplies seemed likely, however, they would need to reach a judgement soon, particularly at Llanwern, on when it would be prudent to bank down furnaces so as to allow them to endure in that condition.

In discussion the following were the main points made -

- a. The police were bearing the brunt of violence in the dispute. In such circumstances it was increasingly difficult for the general public to understand why the civil law was not being invoked. Even if an injunction could not stop mass picketing immediately, it might do so in time through attrition of union resources due to damages and fines for non-compliance.

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b. On the other hand, it could be argued that recourse to the civil law by employers at present would not offer any real relief to the police and would be likely to have unwelcome effects on the course of the dispute. It would tend to swing union support, which at present was divided and irresolute, behind the strike leadership and would run the risk of provoking sympathetic action on the railways and at other vulnerable points. There must also be some doubt about the ability of the courts to gain effective access to NUM funds in the event of non-payment of fines or damages.

c. It was likely the pressure for an independent inquiry or mediation would grow. However the NUM's present intransigent attitude made it impossible that intervention by a third party could provide a resolution of the dispute which would be fair to the taxpayer and would be genuinely in the interests of the coal industry in the future.

d. It might be to the advantage of the NCB to proceed before the dispute ended with closure of some of the most uneconomic pits. If handled sensitively in a way which demonstrated sympathy for the interests of those who would continue to work in the industry, such closures might succeed in eroding the constituency of the strike leadership, demonstrating the truth of the NCB's assurance of no compulsory redundancy during the present tranche of closures. Handling closures in this way would, however, carry significant industrial relations risks requiring serious consideration.

THE PRIME MINISTER, summing up the discussion, said that Cabinet would resume discussion of the dispute on the following day. They would wish to discuss any significant developments in picketing and in attempts to black coal supplies to steel works. In the light of events, it might also be appropriate on the following day or subsequently to discuss further the place of the criminal and civil law in the dispute.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

21 June 1984

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MISC 101 (84) 22nd Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 27 JUNE 1984 at 10.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon John Stanley MP
Minister of State for the Armed Forces,
Ministry of Defence

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and Industry

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr David Mitchell MP
Parliamentary Under-Secretary of State,
Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 41 pits were working normally that day. Six which would otherwise be working normally were on holiday. Figures for attendances showed an increase of 1,400 to 1,500 compared with the previous week. The total now working was about 67,000 about 53,000 of whom were directly involved in producing and handling coal at pits. Bilston Glen and Shirebrook, where production has been resumed since the beginning of the strike, were key pits in the effort to keep up, and if possible increase, the momentum of the return to work. In spite of intensive picketing and intimidation, attendances there were being maintained and, at Shirebrook, slightly increased.

In one case where a Magistrates' Court had convicted a striker of violence against a working miner, it was reported that the penalty imposed had been a fine of £70.

Total movements during the previous week had been 660,000 tonnes, compared with recent movements in excess of 700,000 tonnes. The main cause of the drop was the disruption of traffic to Llanwern and Ravenscraig. Although total movements for the present week were likely to be lower than those for the previous week, deliveries to power stations would be maintained not significantly below the levels achieved in recent weeks. In spite of decisions by both rail unions to pay a full day's pay to men sent home for refusal to run trains, 21 trains had run to power stations on the previous day. Movements by road were being stepped up so as to offset as far as possible the lost rail traffic.

Open cast production continued to make a limited contribution to deliveries, as did coal imports. The marked effect of the dispute on imports generally would be apparent when trade figures were published for April and May.

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He was being kept informed about the continuing efforts of the Chairman of the National Coal Board (NCB) to improve the Board's public presentation of its side in the dispute. Mr Scargill's recent statement on television that he was prepared to break both the civil and criminal law in the interests of his union had been allowed to pass with surprisingly little comment in the media.

THE HOME SECRETARY said that picketing that day had been light. This might be owing to the demonstration, in London that day in support of the strike. In keeping with normal practice, police resources released by a relaxation of picketing at pits would be used to counter intimidation in mining communities.

In response to requests from the court authorities, the Lord Chancellor was making arrangements for the appointment of Stipendiary Magistrates to deal with the increased workload for the Magistrates' Courts at Rotherham and Chesterfield.

THE PARLIAMENTARY UNDER SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that British Rail (BR) had run 23 coal trains on 25 June: the figure for 26 June, 37 trains, was the lowest for a Tuesday during the dispute. BR expected to run a similar number of trains that day. Some trains continued to run from the Shirebrook depot, though traffic from Coalville had ceased after the imposition of stricter discipline by BR, rather than expanding as had been hoped.

On 25 June, the British Steel Corporation (BSC) plant at Ravenscraig had received no coal trains but 6 ore trains. On 26 June, 5 out of 8 scheduled trains had run: the loss of 3 trains was due, not to industrial action, but to mechanical failures. Llanwern had received on 26 June only 1 of 5 scheduled ore trains: the remainder had been lost, owing to refusals by BR staff to drive them.

THE SECRETARY OF STATE FOR SCOTLAND said that large quantities of coal continued to be delivered to Ravenscraig in spite of the halting of rail traffic. On the previous day, 431 lorry loads had been received, equivalent to 10,000 tonnes. BSC management believed that it would be possible also to arrange for a delivery of ore by road if rail deliveries were lost.

SECRET

AND PERSONAL

At Bilston Glen, the police had continued to cope efficiently with picketing and had ensured that the 30 workers at the pit not involved in providing safety cover were able to get in and out. 100-150 tonnes per day were being produced. It was heartening that the 2 miners who had been assaulted by strikers had insisted on returning to work on the following morning. Four men had been charged in connection with the assaults and bailed to appear before the Sheriff in due course.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that he had received no reports of serious problems with supplies of coal to industry, in spite of some signs of incipient difficulty in Scotland.

At the steel works, the operation to move coal by road to Ravenscraig appeared to be going well. For the time being, arrangements for supplying coal to Llanwern were also operating satisfactorily, but BSC would bank their furnaces in the event of any interruption to supply which was not of the most fleeting kind. Stocks held at the plant were enough for normal operations for 2 weeks or for 4 weeks' operations using 1 furnace only.

The Chairman of BSC was beginning to detect a tendency on the part of customers to look for more certain sources of supply abroad, rather than to rely on continued production by the Corporation. Continuing pressure from secondary picketing was also creating some problems of morale within the Corporation in spite of its success so far in maintaining a high percentage of normal output in spite of the strike. It was possible that the Chairman might wish to seek an injunction shortly. He understood however, that the Chairman had it in mind first to seek a meeting with the Chairmen of BR and the National Coal Board (NCB) to discuss the possible repercussions for all the Boards affected by the strike if one were to take out an injunction against secondary picketing. If the BSC were to go ahead, it was likely that they would seek an injunction in the first instance against the National Union of Mineworkers (NUM) requiring the removal of secondary pickets from railway lines into steel works. There would clearly be a real possibility that such an application might have to be followed by an injunction against the rail unions if they were to instruct members not to deliver to steel works even if pickets had been removed.

In discussion the following were the main points made -

a. For reasons identified in previous discussions, it was not clear that the balance of advantage would lie at this juncture in the dispute with action under the civil law by BSC or another employer. There would clearly be advantage, in particular, if no injunction were sought before the end of the NLR Conference on 4 July. Recourse to the civil law was, however, a matter for the managements concerned, whose decisions it was not for the Government to override.

b. The intention of the Chairman of BSC to consult Chairmen of the other nationalised industries concerned before taking any decision on recourse to the civil law was welcome. It would be desirable that such discussions should include the Chairman of the Central Electricity Generating Board (CEGB), as well as the Chairmen of BR and NCB. It was to be hoped that the Chairmen would give careful consideration to the wider implications of any legal action on the course of the dispute, as well as to their own immediate commercial considerations. It was understood that it would be the intention of the Chairman to inform the Government via the appropriate sponsoring Minister if, following their meeting, any of them had it in mind to seek an injunction.

c. It was doubtful whether the meeting to take place on 29 June between the National Executives of the NUM and Iron and Steel Trades Confederation (ISTC) would produce an agreement on supplies to steel works which would be acceptable to the BSC and to the unions. It was understood that BSC intended to make it clear in advance of this meeting that any failure to ensure adequate supply for any major steelworks would require production there to cease; and that there could be no guarantee that, once closed, a plant would reopen.

THE PRIME MINISTER, summing up the discussion, said that the Government should concentrate its efforts in relation to the dispute on two fronts. First, it should continue to give every encouragement and support to the police in dealing with violent picketing and intimidation

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in order both to minimise the disincentives for miners to return to work in increasing numbers and to facilitate the prosecution and conviction of those responsible for serious crimes of violence and intimidation. Secondly, they should encourage and support efforts by the NCB to achieve improvements in the effective communication of its case in the dispute to the public and to miners, both through direct contacts with NCB employees and through the media. She and other senior Ministers should be prepared to take appropriate opportunities in speeches to put the factual record straight where that appeared necessary in the interests of balanced and truthful reporting of the dispute. The Group had noted the intention of the Chairman of BSC to arrange for a meeting with the other nationalised industry Chairmen affected by the dispute: they hoped that this meeting would include the Chairman of the CEGB. The Group welcomed this initiative by the Chairmen to take a wider view of the implications of possible civil action; and the intention of the Chairmen to inform the Government through the appropriate sponsoring Minister if at any time it was intended that such action should be taken.

The Group -

Took note, with approval of the Prime Minister's summing up of their discussion.

Cabinet Office
27 June 1984

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MISC 101(84) 23rd Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 2 JULY 1984 at 5.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits which were working normally numbered 34, with 10 on holiday; those producing some coal numbered 6, with 3 on holiday, and those with some workers in numbered 4 with 1 on holiday. Pits on holiday included Bilston Glen. The only significant change was at Warsop in Derbyshire, where 44 men had gone in that morning compared with 23 the previous week and where coal was expected to be produced for the first time during the dispute on 3 or 4 July.

Movements of coal had started poorly the previous week, but, with the exception of movements to steel works at Ravenscraig and Llanwern, had improved towards the end of the week. That morning's movements were considerably better than the previous Monday's. Movements of coal to power stations had totalled 430,000 tonnes during the previous week and about 300,000 tonnes of power station stocks had been drawn down.

There were 55 pits where the condition of faces was causing anxiety. Among these, there were 4 or 5 cases where it was likely that faces would be lost.

The Steel Committee of the Trades Union Congress (TUC) that morning had rebuffed a request from the National Union of Mineworkers (NUM) for support for their demand for a halt to steel production in excess of levels needed to maintain plant intact.

He understood from the Chairman of the National Coal Board (NCB) that the Board had now obtained improved, independent professional advice on publicity. They would be placing advertisements drawing on this new advice in the course of the week. He understood, too, that a letter to NCB employees would be going out in the course of the week from local colliery managers. This would take the form of a framework of standard paragraphs, with additional passages to be added by colliery managers to reflect local circumstances.

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THE HOME SECRETARY said that there had been no dramatic developments affecting public order that day. He was considering how best to deal with attempts by certain Labour-controlled police authorities to use their financial powers in a way calculated to restrict the freedom of Chief Constables to take operational decisions necessary for policing the dispute effectively.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the British Steel Corporation (BSC) were organising large scale road deliveries of coal, coke and ore to Ravenscraig and Llanwern. At Llanwern only 1 blast furnace was operating albeit at planned levels, reducing output from the plant as a whole to approximately half the planned total. Planned production was being maintained at the other major steelworks. There were still no reports of any more general problems for supplies of coal to industry.

THE SECRETARY OF STATE FOR TRANSPORT said that problems which had arisen during the previous week with movements of coal by rail were easing progressively. This was so particularly at the British Rail (BR) depots at Shirebrook and Coalville. He understood that the Chairman of BR hoped for a further marked improvement following the conclusion on 4 July of the Annual Conference of the National Union of Railwaymen (NUR), including possibly the resumption of rail deliveries to the steel works at Llanwern.

THE SECRETARY OF STATE FOR WALES said that a Director of BSC had said publicly before the weekend that Llanwern had been making better steel more cheaply with imported than with Welsh coal; and had made it clear that the Welsh coal field needed Llanwern more than Llanwern needed Welsh coal. He believed that this statement had had a salutary effect on opinion among miners at the Gwent pits.

THE PRIME MINISTER, summing up a brief discussion, said that efforts should continue to maximise production and deliveries of coal. Both the continuing recovery in rail deliveries following recent reverses and the prospect of renewed production at a further pit were encouraging. The rebuff that morning to the NUM from the TUC Steel Committee carried the clear message to strikers that, in spite of repeated attempts to enlist support from other unions, they were very largely on their own. The Group welcomed the news that the NCB had

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secured further professional advice on publicity and that it would be pressing its efforts in that field more vigorously. They hoped that the Board would use all available means of giving those striking miners who wished to return to work the support and confidence necessary to induce them to do so. It was to be hoped that the planned further letter from colliery managers to individual miners would help in this.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

3 July 1984

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MISC 101(84) 24th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 4 JULY 1984 at NOON

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr David Mitchell MP
Parliamentary Under-Secretary of
State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits fully working numbered 35 with a further 10 on holiday; those working partially numbered 5 with a further 3 on holiday; and pits with some workers in numbered 5 with a further 1 on holiday. The only change represented by these figures was 1 pit in Scotland where one man had returned to work.

Coal movements for the previous day had been good: British Rail (BR) had been able to provide all the rail transport needed for movements except for those to the steelworks at Llanwern and Ravenscraig. Rail movements had included 3 trains from Coalville depot, from where a further 5 were expected to be run that day.

Further talks had been arranged to take place the following day between the National Coal Board (NCB) and National Union of Mineworkers (NUM) at a secret location. A statement issued by the NCB on the previous evening had made it clear that the talks were to be continued on the basis identified at earlier discussions in Edinburgh, which had centred on the definition of exhausted and uneconomic pits. Mr Scargill, on the other hand, had said that withdrawal of the NCB's plans for pit closures was a precondition for progress with talks. The prospects for the talks were hard to assess: perhaps the most likely outcome was that Mr Scargill would seek to break them off in a way which was calculated to maintain support for his policies at the NUM Delegate Conference in the following week.

It was intended that coal movements to (but not yet coke movements from) the Orgreave depot would begin again on the following Monday.

It had been reported that the Transport and General Workers Union (TGWU) intended to fine their members involved in movements of ore and coal to steel works by road for crossing picket lines. Past experience with the union's attempts to enforce discipline by similar means suggested that any fines imposed would be virtually unenforceable in practice.

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THE HOME SECRETARY said that there were few developments to report affecting public order. Heavy picketing was reported that morning at a power station in Humberside. Increased levels of picketing were reported also at Warsop colliery where men had been returning to work in increasing numbers. Picketing at both places had been contained by the police.

The South Yorkshire police authority had purported to instruct the Chief Constable not to incur without their express consent any expenditure on items involved in policing the dispute other than police manpower. This would, for example, prevent the Chief Constable from incurring expenditure on accommodation for police from other forces provided through the mutual aid arrangements in connection with the resumption of movements to Orgreave planned for the following Monday. The police authority had threatened the Chief Constable with suspension if this instruction were not obeyed. The implications were potentially very serious; if the instruction were complied with, it would be copied by other police authorities under political control sympathetic to the strike leadership. He had told the Chief Constable of South Yorkshire that he would be indemnified by the Government for a short interim period while the Attorney General took action in the Courts.

THE ATTORNEY GENERAL said that he and the Home Secretary had agreed that action in the Courts should be taken by him rather than by the Chief Constable, having regard to the Government's central responsibilities for the maintenance of public order. Leave would be sought from the Courts that afternoon or early the following morning to apply for a judicial review of the decision of the police authority. At that hearing, an injunction would also be sought to prevent the police authority from suspending the Chief Constable for any improper reason. He hoped that the case itself would be heard early in the following week: he would argue that the decision of the police authority should be overturned by the Court on the grounds that it had not been reached reasonably. He was confident that the application would succeed.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that 35 coal trains had run on the previous day and a similar number were expected to run that day. There had been no rail movements to Ravenscraig during the week, but 120,000 tonnes of coal and 70,000 tonnes of iron ore.

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had been unloaded at Hunterston by dockers who were members of the TGWU. Similarly, there had been no rail movements to Llanwern that week. Management was writing to the BR crews involved setting out the implications of a threat to the continued existence of the steelworks for railmen's jobs.

At the Coalville depot there was some hope of an increase in the next few days in numbers of trains running in spite of the fact that the National Union of Railwaymen (NUR) and Associated Society of Locomotive Engineers and Firemen (ASLEF) were paying in full the wages of men who were sent home.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that no trains had run to the British Steel Corporation's (BSC) plant at Scunthorpe on the previous day because of picketing by the NUM. A meeting of dockers at Immingham had failed to decide conclusively whether or not to black unloading of further supplies destined for Scunthorpe. For the time being, some unloading was continuing. Movements through the Trent wharves had continued at high levels. Despite the interruption of rail movements to Ravenscraig and Llanwern, they had received substantial amounts of coal and ore by road on the previous day.

He had met members of the Board of BSC on the previous day. It was clear that they were in good heart and determined to continue production as close as possible to normal levels. The Corporation would be taking action to correct any impression which might have arisen from remarks made by the Chief Executive that BSC considered that the practical value of the recent operation to maintain deliveries of coke from the Orgreave depot may not have been great. It was clear to him that the recent discussions which had taken place between the Chairman of BSC and the Chairmen of the other nationalised industries affected by the strike had been helpful to all the parties.

It would be necessary before the Summer Recess to have a Parliamentary Debate on a proposal to increase the statutory limit on BSC borrowing. The need for a Debate was untimely and it would need careful handling.

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THE SECRETARY OF STATE FOR WALES said that 2 ore ships were unloading or about to unload at Port Talbot. It had been possible to begin movements of iron ore to Llanwern by road that day, however, only after the provision of police reinforcements. He understood that the plant might in consequence receive only 2 convoys that day, rather than 3. For the longer term, a daily rate of 3 convoys of iron ore was essential for the maintenance of production levels.

THE PRIME MINISTER, summing up the discussion, said that it was most important that police authorities should not succeed in taking, purportedly on financial grounds, actions calculated to interfere with the operational judgement of Chief Constables in policing the dispute. The Group had taken note of the action put in hand by the Home Secretary and Attorney General, who should continue to report developments. The prospects for the revived talks between the NCB and NUM were hard to assess. If they broke down in the course of the first session, it was to be hoped that the NCB, drawing on its new sources of professional advice on publicity, would be able promptly and persuasively to make a strong public case laying the blame for breakdown at the door of Mr Scargill and his intransigence in insisting that the NCB should abandon their main negotiating objective as a prerequisite for serious discussions. It was most important that the basis of any agreement between the NCB and NUM hinging on the definition of exhausted and uneconomic pits should be absolutely clear and should not be capable either of any general misrepresentation by the strike leadership or of being circumvented in discussions at local level on pit closures.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Home Secretary and Attorney General to report further in due course the action they had set in hand regarding the South Yorkshire Police Authority.

Cabinet Office

5 July 1984

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MISC 101(84) 25th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 9 JULY 1984 at 4.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr Norman Lamont MP
Minister of State,
Department of Trade and Industry

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon John Stanley MP
Minister of State for the Armed Forces,
Ministry of Defence

Mr Allan Stewart MP
Parliamentary Under-Secretary of State,
Scottish Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that he understood that recent talks between the National Coal Board (NCB) and National Union of Mineworkers (NUM) had centred on a definition of exhaustion which would allow uneconomic pits to be closed by agreement. The NCB was arguing for a definition extending to pits which were found, on engineering inspection, to be unable with or without further investment to yield beneficial production of coal. A definition on these lines was clearly inconsistent with Mr Scargill's declared public position and he had resisted it. Full reports were not yet available following the conclusion of the latest session, but the parties had agreed that talks should resume on 18 July.

The initiative by NCB management in Northumberland and Durham to provide transport into pits for miners wishing to work had stimulated heavier picketing. Neither any serious incident nor any significant return to work had been reported. The Board would continue to make buses available in these areas for the rest of the week, at least.

Pits fully working that day numbered 37, with a further 8 on holiday; those producing some coal numbered 7 with a further 2 on holiday; those with some men in numbered 3 with a further 1 on holiday. This represented an increase of 1 in the number of pits producing some coal: the pit was Warsop, where coal had been produced that day for the first time.

THE HOME SECRETARY said that the Attorney General's application for judicial review of purported action by the South Yorkshire Police Authority to restrict the authority of the Chief Constable to incur certain expenditure on policing the strike had been heard on the previous Friday. The case had been adjourned: in the meantime, the Court had required the purported action by the authority to be suspended. Both he and the Attorney General were fully satisfied with this outcome, which had achieved all their immediate aims. The South Yorkshire Police Authority was meeting on the following day.

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No significant trouble had been reported from Orgreave, where inward movements of coal had resumed that morning. Pickets, though present in large numbers, had arrived for the most part only after the lorry convoy had arrived at the plant. 40 miners had arrived for work that morning at Ellington colliery in Northumberland, but 37 had declined to cross picket lines to go into the pit. 3 who had done so had later been persuaded to come out again.

THE SECRETARY OF STATE FOR TRANSPORT said that levels of movement by rail that day and on the previous Friday had been fairly satisfactory by the standards of recent days. Some problems continued with the operation of signal boxes in Nottinghamshire. There were still no rail deliveries to the steel works at Llanwern and Ravenscraig.

It had just been reported that a national dock strike from midnight that night had been called in both scheme and non-scheme ports by the national docks committee of the Transport and General Workers Union (TGWU). The reason given for the strike call was the loading at Immingham by the British Steel Corporation (BSC) of iron ore onto lorries bound for Scunthorpe. The TGWU were understood to claim that this loading constituted a breach of the National Dock Labour Scheme (NDLS), although the BSC believed that this was not the case. The port employers intended to issue a statement pointing out that the National and Local Dock Labour Boards existed to deal with disagreements of this kind. It remained to be seen what the response would be to the strike call: an earlier call for a one-day strike at Immingham itself had been carried only by the comparatively narrow margin of 280:240.

THE MINISTER OF STATE, TRADE AND INDUSTRY said that stocks of iron ore at Scunthorpe were sufficient for 10 weeks. The BSC continued to maintain planned production of steel there and at its other works.

It was reported that the Alcan aluminium smelter at Lynemouth could be faced with difficulties in 6-7 weeks time, in anticipation of which the firm had opened negotiations with the Central Electricity Generating Board (CEGB) about the possible purchase of energy from the National Grid.

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AND PERSONAL

THE SECRETARY OF STATE FOR WALES reported that a second blast furnace was again in operation at Llanwern. Further reports were awaited on the cause of the fire which had taken place at the weekend at the premises of Hazell's Haulage, a haulier involved in road deliveries to Llanwern.

In discussion the following were the main points made -

a. It was possible that agreement on a definition of exhausted or unworkable pits on the lines indicated by the Secretary of State for Energy would be helpful in some respects. It would be a clear departure from the line taken by Mr Scargill and would not fundamentally affect either the NCB's powers to close pits or the local procedures for implementing closures. On the other hand, if a definition were agreed which was not clear cut in respect of crucial matters such as investment and commercial viability, the way might be open, first, for the strike leadership to claim at least a partial victory for the strike; and secondly, for the NUM to seek to apply an unduly restrictive interpretation of the definition in local closure procedures while claiming that any broader interpretation advanced by the NCB was evidence of bad faith.

b. There were some indications that Mr Scargill was already exploiting the adjournment of talks that afternoon to tactical and presentational advantage in advance of the meetings later in the week of the National Executive and Delegate Conference of the NUM. It was possible that he might see the prolongation of talks, not as a serious effort to come to agreement, but as a means of averting the increased pressure for a return to work which might ensue if the talks were to terminate.

THE PRIME MINISTER, summing up the discussion, said that it was not apparent what tactical considerations had led the NCB to agree to an adjournment extending as far ahead as 18 July, but they were no doubt formulating their strategy for 18 July and thereafter, subject to modification in the light of events at the Delegate Conference of the NUM later that week. In the event that talks eventually resumed with some genuine hope of progress, the NCB would no doubt wish to start from a clear assessment of what features would be acceptable and what unacceptable in any agreed definition of exhausted or

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AND PERSONAL

unworkable pits; and of the implications of any such definition for their ability to achieve planned reductions of capacity to an acceptable timetable. In the event that the talks resumed in circumstances which made an early breakdown likely, the NCB would presumably wish to have plans in readiness for measures both to promote and to facilitate a return to work on a larger scale than previously. In either event, it would be desirable for the Board to have ready contingency plans for handling the media following the conclusion of talks which allowed them to put their points of view across clearly and persuasively both to miners and to the general public, and which did not, as in the past, allow the initiative to be acquired by the strike leadership. The Secretary of State for Energy should report the current thinking of the NCB on these matters to the next meeting of the Group. In the meantime, it was to be hoped that the NCB would continue with its programme of press advertisements, which had had a favourable effect on public opinion towards their case. Ministers should be prepared to add this weight to the arguments being put forward by the Board where that appeared to be desirable in the interests of balanced and truthful reporting of the dispute.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to report to the next Meeting of the Group on the matters indicated by the Prime Minister in her summing up.

Cabinet Office

10 July 1984

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AND PERSONAL

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MISC 101(84) 26th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in the
Prime Minister's Room, House of Commons
on WEDNESDAY 11 JULY 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

Mr Michael Ancram MP
Parliamentary Under-Secretary of
State, Scottish Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item No	Subject	Page
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	INDUSTRIAL ACTION IN THE DOCKS INDUSTRY	6

SECRET

AND PERSONAL

SECRET

AND PERSONAL

SECRET AND PERSONAL

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE ATTORNEY GENERAL said that Sir Robert Megarry, the Vice-Chancellor, had granted an order on the previous night to 17 members of the Nottinghamshire Area Council of the National Union of Mineworkers (NUM). The order barred discussion or a vote that day by the Special Delegate Conference of the NUM on a proposal for a new rule, the effect of which would be to allow the union to take disciplinary action against those who had continued to work during the strike. This order was given after the leadership of the Nottinghamshire NUM had disregarded earlier orders of the Court requiring them either to hold a meeting of the Nottinghamshire Area Council, to mandate the area's delegates for the Conference vote, or to vote against the proposed new disciplinary procedures.

The Vice-Chancellor's latest order had been disregarded. The Special Delegate Conference had adopted the new disciplinary procedures by a majority of 166:62, which exceeded the two-thirds majority required for a change in the rules of the union. The 14 delegates from Nottinghamshire, however, had cast the area's votes against the rule change, no doubt in the knowledge that this would not prevent the proposal from achieving the necessary majority.

In spite of offensive statements which had been made by Mr Scargill and Mr McGahey about the Court and the Vice-Chancellor, it was unlikely that the Court would take further action except on an application from the Nottinghamshire miners to whom the order had been granted. If a further application were made, it would be likely that national officers of the NUM would be held to be in contempt, with the possibility that the vote of the Special Delegate Conference might be set aside and fines and possibly other penalties imposed. But the justification for proceeding in this way was not clear, given that the way in which the Nottinghamshire delegates to the Special Conference had cast their votes had fulfilled the purpose of the applications to the Court. It was clear, moreover, that the rule change could, if necessary, swiftly be validly remade in a way which would deprive further Court action to set it aside of its point. A challenge to the validity of the new disciplinary procedure later on, when the union sought to

SECRET

AND PERSONAL

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AND PERSONAL

implement it, might be the less likely to succeed if no action were taken immediately following the decision of the Special Delegate Conference to disregard the Vice-Chancellor's order. The original applicants were understood to be considering their position.

Following the action that he himself had taken in the Courts in the previous week, it had been reported that the South Yorkshire Police Authority, at a meeting on the previous day, had withdrawn two resolutions purporting to restrict the freedom of the Chief Constable to incur certain expenditure on policing the dispute. This would effectively forestall any attempts at similar restrictive action by other police authorities under a political control favourable to the strike leadership. He would shortly make a suitable announcement in a written Answer.

THE SECRETARY OF STATE FOR ENERGY said that pits fully working numbered 38, with 8 on holiday; those producing some coal numbered 6 with a further 2 on holiday; and those with some men in numbered 3 with a further 1 on holiday. These figures reflected the return of 1 pit in Staffordshire, which had formerly been producing some coal to full production. Movements of coal on the previous day had been well maintained.

As yet it was too early to say what might be the objectives and tactics of the National Coal Board (NCB) when discussions with the NUM were resumed on 18 July.

THE SECRETARY OF STATE FOR TRANSPORT said that movements of coal continued at levels comparable to those of recent weeks. Problems with rail traffic in Nottinghamshire continued, as did the interruption in rail traffic to steelworks. The British Rail Board (BRB) thought it likely, however, that railwaymen would begin to return to normal working if agreement was not reached soon between the NUM and NCB. A letter had been sent by the Board to each railwayman who had not been working normally.

THE HOME SECRETARY said that violence over recent days at Rossington and Hemsworth had been a worrying development. It appeared to be spontaneous and had occurred in solidly strike-bound areas which had been peaceful until now. Violence of this sort was a new development in the dispute: it would be easier for the police, now that they had had a chance to assess it, to

SECRET

AND PERSONAL

take effective measures to deal with any recurrence. But it posed particular problems of policing because neither the timing nor the location of outbreaks, which had taken place away from pits and work places, was predictable.

In discussion the following were the main points made -

a. Both the NUM rule change itself and the manner in which officers of the NUM had behaved towards the Court were offensive. It could be argued that the application by 17 members of the Nottinghamshire Area Council had achieved its intended effect on the votes cast on disciplinary procedures by Nottinghamshire delegates to the Special Delegate Conference. But the public perception would be that the Courts had been defied and that the strike leadership had behaved, seemingly with impunity, as though they had freedom above the law to set up kangaroo courts to discipline working miners.

b. There was an apparent inconsistency, which should be further investigated, between the supposed 18 per cent of votes at the Special Delegate Conference controlled by Nottinghamshire delegates and the reported 14 votes by them against the proposed rule change out of an apparent total of 228 votes cast.

c. It seemed likely that the first targets against whom the strike leadership might use the new disciplinary powers were those union officials who had not supported the strike. More widespread use of the new arrangements against the rank and file of working miners would be likely to precipitate mass resignations from the union. To minimise any deterrent effect of the rule change on those wishing to return to work, it would be desirable for the NUM to emphasise, as they had in the past, that no closed shop existed in the industry and that the Board would protect the jobs of those who might be affected.

d. It was important that the agreement proposed by the NCB in recent talks with the NUM, because it defined exhaustion according to whether pits contained resources which were capable of "beneficial" development, should not be seen as a retreat from the Board's previous insistence that economic factors must be explicitly taken into account in considering pit closures. Lack of explicit reference to such factors

SECRET

AND PERSONAL

in any agreement would risk allowing the strike leadership to claim at least a partial victory for the strike. It might also allow the NUM to seek to apply an unduly restrictive interpretation of the agreement in local closure procedures while claiming that any broader interpretation advanced by the NCB was evidence of bad faith.

e. On the other hand, it was argued that an agreement on the terms proposed by the NCB would be neither a concession nor a withdrawal from the Board's previous position. Procedures and statutory powers for closing pits would be unaffected. Although the NUM would no doubt accuse the NCB of bad faith over closures of pits on the basis of the definition proposed by the Board, it was virtually certain that they would do so whatever the terms on which the strike ended. The concept of what was beneficial, though not capable of precise definition, was no more ambiguous than the concept of what was economic. The fact that the NUM had broken off talks with the NCB over the inclusion of the term "beneficial" in the text and discussion was in itself an indication that the agreement proposed by the NCB, if accepted, would be to their advantage.

THE PRIME MINISTER, summing up the discussion, said that contrast between action taken by the NUM in respect of the new disciplinary machinery and their claim to be run according to democratic principles should be fully exposed through the media. It was too early as yet to say what the objectives and tactics of the NCB would be in the resumed talks with the NUM on 18 July: the Secretary of State for Energy should report on these matters to the Group on 16 July. In the event of an agreement between the NCB and NUM, it was important that the terms should be seen to permit the closures sought by the NCB before the strike within an appropriate timescale. In practical terms, this was likely to mean that the talks should either reach agreement on the basis of the definition of exhaustion already proposed by the NCB or be broken off. In the meantime, striking miners were not returning to work at a sufficient rate and the return had not spread sufficiently to areas where the strike was solid. It was not clear how far this was due to the hope for a negotiated settlement which strikers might feel while talks with the NCB continued and how far to holidays and other factors. It would be necessary for the NCB to consider how best to accelerate the return to work, if the talks were to end without agreement, both by persuasion and by more concrete means such as the provision of secure transport into pits.

SECRET

AND PERSONAL

SECRET

AND PERSONAL

It might be more productive if the Board were to concentrate their efforts on a small number of pits where circumstances were favourable, rather than spreading them over a broader front. In the meantime, the Board would no doubt keep up its publicity offensive and prepare publicity plans on a contingency basis against the likely alternative outcomes of the talks due to resume on 18 July.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion

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AND PERSONAL

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SECRET AND PERSONAL

2. INDUSTRIAL ACTION IN THE DOCKS INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that all major ports within the National Dock Labour Scheme (NDLS) had responded on the previous day to the call by the Transport and General Workers Union (TGWU) for a national dock strike. The strike had been joined that day by further scheme ports at Ayr, Troon, Plymouth, Lowestoft, Port Talbot, Tyne, Sunderland, Blyth and Seaham. The only non-scheme ports on strike were Lerwick and Montrose. Hunterston was still working. Felixstowe continued to work in spite of some disruption.

Separate action was being taken by Sealink staff to ban freight traffic from ferries in protest against plans for privatisation. This would call for firm action to be taken by management. A 48-hour strike on the same issue by Sealink staff was planned from the night of 13 July.

The purported cause of the strike was a supposed breach of the NDLS by the use by the British Steel Corporation (BSC) of contract labour to load iron ore from stockpiles in the docks at Immingham into lorries. BSC were satisfied that neither the Scheme nor local agreements had been breached: "shadow" labour consisting of registered dock workers had observed the work as it was done by contractors in the normal way. The National Dock Labour Board (NDLB) was to meet the following day to discuss the incident. It was not unlikely that the Board, which included union representatives, would conclude that there had been no breach of the NDLS, though it was possible that a ruling might be deferred while further legal advice was sought. It was to be hoped, but was by no means certain, that a favourable ruling by the Board might lead to an end to the strike. From initial discussions he had had, it seemed that at least some managers in the ports industry expected the strike to be long. This assessment was based, not only on the incident at Immingham, but also on the solidarity which some dockers were thought to feel for the miners and on general anxiety among dockers about the future of the NDLS. This anxiety was reflected in a demand which had been made by the union since the calling of the strike for additional powers in relation to the Scheme. The powers demanded amounted to a unilateral right for the union to define what was and was not dock work without provision for any say by the management.

SECRET

AND PERSONAL

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AND PERSONAL

Dock employers generally would favour the abolition of the NDLS by the Government. Some might see the strike as a timely occasion. It was probable that the employers would ask for a statement of the Government's intentions towards the Scheme.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that there was no immediate prospect at the steel works of shortages of coal and iron ore owing to the strike. Planned production was generally being maintained, but exports of steel could rapidly be brought to a halt by closure of the ports. There was an early prospect of more serious difficulty for industry more generally arising from the interruption both of imports and of exports. Points of particular pressure could be expected to become apparent quickly if the strike persisted.

THE PRIME MINISTER, summing up the discussion, said that hope of an early solution to the dispute through the NDLB should not be allowed to delay other action calculated to bring the strike to an early end. The Government should encourage the dock employers to adopt a resolute approach. A major effort should be made over the next 48 hours through the port employers and otherwise to mobilise opinion among workers in industries likely to be affected if the strike continued and among the public. It should be clearly demonstrated that the union's pretext was false, and that those now taking unjustified and damaging action on the strength of it enjoyed extraordinary privileges despite being, in the case of 4,000 out of a total of 13,000 employees, surplus to the genuine requirements of the industry. These privileges included a high degree of job security and very high levels of pay. The Secretary of State for Transport should investigate and report further on whether job security under the NDLS extended to workers who took industrial action in breach of their contracts. The time was not opportune, however, to seek to abolish the NDLS. To do so would certainly lead to a long strike. While the strike continued, the Secretary of State for Transport and the other Ministers primarily concerned should report developments regularly to the Group.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

12 July 1984

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AND PERSONAL

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MISC 101(84) 27th Meeting

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19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 16 JULY 1984 at 11.00 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon John Stanley MP
Minister of State for the Armed Forces,
Ministry of Defence

Mr Michael Ancram MP
Parliamentary Under-Secretary
of State, Scottish Office

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

SECRET

SECRET

AND PERSONAL

THE FOLLOWING WERE ALSO PRESENT

The Rt Hon John Wakeham MP
Parliamentary Secretary, Treasury

Mr John Gummer MP
Minister of State, Department of
Employment

Mrs Peggy Fenner MP
Parliamentary Secretary,
Ministry of Agriculture,
Fisheries and Food

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd

CONTENTS

Item No

Subject

Page No

1

INDUSTRIAL ACTION IN THE COAL INDUSTRY

1

2

INDUSTRIAL ACTION IN THE DOCK INDUSTRY

4

SECRET

AND PERSONAL

SECRET

AND PERSONAL

SECRET AND PERSONAL

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that attendances at those pits which had that day completed their holiday period had been good, particularly in Leicestershire. Shirebrook and Warsop collieries had recorded their best attendance since the strike began. Overall 42 pits were working normally (4 others were on holiday); 5 were mining some coal (3 others on holiday); there were some miners working at one pit (3 others on holiday) and 117 pits remained strike bound. The movement of coal had improved towards the end of the previous week, during which power station stocks had declined by less than 0.25 million tonnes. The National Coal Board were to undertake a further publicity campaign on 17 July to create an atmosphere in which responsibility for any breakdown of the negotiations, due to restart on 18 July, could be firmly blamed on the unwillingness of Mr Scargill to negotiate in a constructive and reasonable manner.

THE SECRETARY OF STATE FOR TRANSPORT said that it was hoped a further improvement in coal movement from the Coalville British Rail depot would be seen during the current week, following the return from holiday of two previously co-operative signalmen. Despite the dock strike a number of small wharves, especially on the River Trent were continuing to handle coal.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the British Steel Corporation (BSC) plant at Llanwern had 2 weeks supply, for a two blast furnace operation, of coal, coke and iron ore on the premises, of which 1800 tonnes of coal and 8400 tonnes of iron ore from Port Talbot and 1500 tonnes of coke from Usk wharf had been delivered during the previous weekend. Stocks at Scunthorpe, Ravenscraig and Teeside were sufficient to last until the end of August. The dock strike had prevented further unloading at Hunterston, Immingham and Teeside. Lorry convoys to move coal, coke and iron ore, already offloaded from Hunterston to Ravenscraig were expected to begin again on 17 July, following a cessation of movement during the recent Glasgow Fair. The movement of 6400 tonnes of coke from Orgreave to BSC Scunthorpe had now been completed.

SECRET

AND PERSONAL

SECRET

AND PERSONAL

THE HOME SECRETARY said that there had been renewed violence that day by pickets at Port Talbot, 32 lorry windscreens were reported to have been smashed; arrests had been made. He had no reason to believe that any increase in the number of police patrolling mining communities to combat intimidation would be likely to be more effective; greater emphasis was being placed on freephone arrangements for reporting intimidation and following up such reports quickly.

In discussion the following points were made -

- a. It would be difficult to increase pressure for a ballot of National Union of Mineworkers members in the absence of potentially effective moderate leaders on either the National Executive Committee or amongst those who would attend the Union's Delegate Conference. The patronage wielded by Mr Scargill was a powerful disincentive to those who might wish to support a more moderate line.
- b. There was continuing cause for concern about the delays in bringing to trial those who had been arrested during violent incidents on picket lines and elsewhere. Although some cases had been heard in Magistrates courts and 20 persons had been fined more than £200 each, no Crown Court trials of indictable offences (eg criminal damage, riot and arson) had yet been arranged. It was relatively simple for defence lawyers to delay proceedings and it would be worth considering whether there was anything that could be done to guard against such delays being unreasonably long. In the absence of trials and convictions it appeared that Mr Scargill was succeeding in supporting his publicly stated view that he and his union were above the law so far as this dispute was concerned. This would of itself provide a deterrent to those who might wish to return to work.

THE PRIME MINISTER summing up the discussion said that it was important to maintain the campaign for encouraging and facilitating by every possible means a return to work by those wishing so to do. It would be helpful if the Attorney General, in consultation with the Lord Chancellor, were to examine ways of speeding up proceedings so as to ensure early trials particularly in the most serious cases, of those involved in connection

SECRET

AND PERSONAL

SECRET

AND PERSONAL

with violence and intimidation, and report back to the Group. It was to be hoped that the Coal Board's intended publicity efforts would be successful in placing responsibility clearly on Mr Scargill should the forthcoming talks breakdown as a result of union intransigence.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Attorney General to consider, in consultation with the Lord Chancellor, methods of speeding up trials especially those arising from serious violence and intimidation, and to report back.

SECRET

AND PERSONAL

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SECRET AND PERSONAL

2. INDUSTRIAL ACTION IN THE DOCK INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that the strike appeared to be the result of deliberate efforts by Messrs Kitson and Greendale of the Transport and General Workers Union (TGWU) to achieve some positive success in redeeming union promises of support for the miners strike. The original plan, to start the strike a week earlier, had been thwarted by the sickness of one man. The problem at Immingham the previous week which had led to the strike had now been resolved locally by the British Steel Corporation (BSC) and TGWU, following a ruling against BSC by the National Dock Labour Board. The strike was now being sustained by fears of imminent changes to the National Dock Labour Scheme (NDLS) being exploited by the TGWU leadership. It was significant that the TGWU had not sought assurances (which they would have received) that the Government had no plans to change the scheme as it currently stood. The union was demanding guarantees from the National Association of Port Employers (NAPE) that would in practice mean that the TGWU was, in future, the sole arbiter of what constituted a breach of the NDLS; this was clearly unacceptable. It was also possible that the TGWU might resurrect its demands that the NDLS be extended to those ports not at present within the scheme. All the scheme ports and most non scheme ports were now closed to freight. The vote, on a show of hands, at Dover earlier in the morning was reported to have shown a majority for closing the port to freight, but it was not yet clear whether the Dover Harbour Board would be agreeable to maintaining passenger and holiday traffic only. (It was subsequently learned that the Board had so agreed and the port would be closed to freight from that evening.)

THE SECRETARY OF STATE FOR EMPLOYMENT said that the Advisory Conciliation and Arbitration Service (ACAS) had invited both sides in the dispute to separate exploratory talks. It was thought likely that the NAPE would meet Mr Lowry during the afternoon of that day, but it was not yet known whether the TGWU would accept the invitation. (It was subsequently learned that the Union would meet ACAS during the afternoon of 17 July.)

THE MINISTER OF STATE FOR THE ARMED FORCES said that the existing plan for service assistance in maintaining the essentials of life during a dock strike could not be expected to replace other than a relatively small

SECRET

AND PERSONAL

proportion of the flow of essential supplies. The precise capability would need to be assessed in relation to the needs existing at the time it was decided to consider activating it. The plan was constructed in such a way as to permit the maximum flexibility of deployment, up to 13 multi-skilled teams would be provided.

THE PARLIAMENTARY SECRETARY, MINISTRY OF AGRICULTURE, FISHERIES AND FOOD said that although there might be shortages of some food items there should not be a significant food shortage and there was no justification for panic buying. It had been reported that TGWU officials were being restrictive in granting dispensations for the movement of perishable foodstuffs. The major concern would probably be animal feedstuffs; some 30,000 tons of Soya was stranded by the strike just inside Liverpool docks; the processing plant was just outside.

In discussion the following points were made -

- a. The Business Statistics Office had been asked to provide information daily to the Secretary of State for Trade and Industry about the effects of the strike on a wide variety of industry and commerce. A daily briefing meeting, on lines similar to those held by the Secretary of State for Energy during the miners strike, would be held by the Secretary of State for Transport to which representatives of other Departments would be invited.
- b. It was thought possible that TGWU members in the scheme ports might be less inclined to return to work than those in non scheme ports and it might therefore be sensible to concentrate efforts to obtain a return to work on the latter. It had been reported that dockers at Felixstowe were fearful of violent picketing, which could affect their willingness to return to work. It would be necessary to demonstrate that the police could provide adequate protection if necessary.
- c. It would be helpful to establish the position of employers and others concerning legal redress under both existing legislation and the new Trade Unions Bill currently proceeding through the House of

Lords, and which was expected to receive the Royal Assent before the recess. It was possible that some shipowners might wish to seek redress through the Courts. Work should also be put in hand urgently to identify those firms whose workers were likely to lose their jobs as a direct result of the dock strike in order that both the Government and employers concerned could highlight this risk in their anti-strike publicity.

d. Union officials organising the dock (and miners) strikes appear to be basing their campaign amongst their own members on loyalty, fear and ignorance. The Government and employers could counter this by demonstrating that loyalty was misplaced in that members of the TGWU outside the dock industry, and other unions, risked losing their jobs as a direct result of the strike; fear could be allayed by demonstrating, for example that the NDLS was not in danger of being abolished or changed and ignorance could be combatted by a co-ordinated and sustained campaign to supply the true facts to all who were on strike as well as other union members and the public at large.

THE PRIME MINISTER, summing up the discussion said that the Lord President of the Council in conjunction with her Principle Press Secretary would oversee arrangements for briefing all Ministers and Government spokesmen and ensuring that "duty Ministers" were always available for television, radio and press interviews. The port employers, particularly in the non scheme ports should be urged indirectly to communicate effectively with their employees, stressing that there was no real cause for the dispute and that jobs were at risk. In this connection it would be helpful for the Confederation of British Industries and large industrial employers to make clear the damage which would be done to employment. It must be constantly emphasised that the Government had no plans to abolish or change the NDLS. It should also be repeated that the Government intended to take the steps necessary to keep Britain working. If asked Ministers should say that this did not exclude the declaration of a state of emergency if that proved necessary or, as a last resort, the use of servicemen to maintain supplies essential to the life and safety of the community.

SECRET

AND PERSONAL

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Lord President of the Council to arrange with the Prime Minister's Principal Press Secretary for the handling of publicity and the media on the lines indicated in the summing up of the discussion.
3. Invited the Secretary of State for Transport, in consultation with the Secretaries of State for Trade and Industry and Employment to arrange for adequate communication by port employers about the risk to jobs, on the lines indicated in the summing up of the discussion.
4. Invited the Secretary of State for Employment to report on the prospects for those seeking redress under the 1980 and 1982 Employment Legislation and whether the new legislation, when enacted, would make a significant difference.

Cabinet Office

17 July 1984

SECRET

AND PERSONAL

SECRET

AND PERSONAL

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MISC 101(84) 28th Meeting

COPY NO **19**

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 18 JULY at 6.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon John Stanley MP
Minister of State for the
Armed Forces, Ministry of Defence

The Rt Hon Lord Cray of Contin
Minister of State, Scottish Office

THE FOLLOWING ATTENDED BY INVITATION

The Rt Hon Lord Hailsham
Lord Chancellor

The Rt Hon John Wakeham MP
Parliamentary Secretary, Treasury

The Rt Hon Michael Jopling MP
Minister of Agriculture, Fisheries
and Food

Mr John Gummer MP
Minister of State, Department
of Employment

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SECRET

AND PERSONAL

CONTENTS

Item No

Subject

Page

1

INDUSTRIAL ACTION IN THE COAL INDUSTRY

1

2

INDUSTRIAL ACTION IN THE DOCKS

4

SECRET AND PERSONAL

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the adjourned talks between the National Coal Board (NCB) and National Union of Mineworkers (NUM) had resumed that morning and continued following a break at lunchtime. He understood that a number of new and revised drafts had been advanced for discussion during the day, but that the position of neither side had changed in substance. The assessment of the Chairman of the NCB was that the talks were likely to break down shortly. The latest news was that the talks had again been adjourned and were to be resumed at 8.30 pm that evening.

The numbers of pits working were the same as on the previous day and attendances were better. Votes which had been taken at pits throughout South Derbyshire had reaffirmed the intention of miners in the area to continue to work. In Leicestershire, where pits had returned to work that Monday after annual holidays, attendances were 350 higher than before the break. There was thus no sign of fulfilment of earlier fears that men who returned to work shortly before the beginning of their holiday period had done so in order to qualify for holiday pay but with the intention of resuming the strike after the break.

Movements of coal continued at a satisfactory level: 140,000 tonnes of coal had been moved the previous day alone. Train movements on the previous day had included 4 from the Coalville depot.

THE ATTORNEY GENERAL said that the High Court that day had declared the recent change to the rules of the NUM establishing new disciplinary procedures to be illegal, void and of no effect. The Court had granted a number of Nottinghamshire miners an injunction restraining the NUM from using the new procedures. The applicants had not sought to have penalties imposed against the NUM for the breach of the earlier decision by the Court prohibiting discussion or voting on the proposed rule change at the recent NUM Special Delegate Conference. The terms in which the latest judgement of the Court had been given, however, could be taken as implying that the Attorney General could seek the imposition of penalties if he considered it in the public interest to do so. An attempt

by the NUM to use the purported new disciplinary procedures in defiance of the Court would lay those responsible open to serious consequences. Any penalties sought on the basis of breaches of the previous ruling of the Court would probably be fines imposed on Mr Scargill and Mr Heathfield. The question of his own locus to undertake such proceedings required further careful consideration in the light of the terms in which the Court had delivered its latest judgement.

THE HOME SECRETARY said that there had been no significant change in the position regarding law and order. Arrangements had been set in place to collect regular and comprehensive information on the incidence of intimidation in the dispute. He envisaged that publicity should be given to this information on appropriate occasions, though he did not propose to arrange for its routine publication.

THE LORD CHANCELLOR said that he had been invited to attend in the light of reports of alleged delays occurring in the prosecution in the Courts of cases arising from the dispute. He understood, however, that any delay which might have occurred had arisen from the lack of committal proceedings begun by the police; and that the Courts had not delayed dealing with indictable offences when the police were ready to bring a case. In areas where it was desirable to increase the rate at which committal proceedings were dealt with in Magistrates' Courts, it was possible for him to appoint stipendiary magistrates, but he could do this only in response to a request from the Courts concerned. Even if stipendiaries were provided, however, it would be possible for defendants to slow down the rate at which committal proceedings could be undertaken by insisting on the use of the ancient and intricate "Section 2" committal procedure, rather than the more rapid modern alternative. Choice in the matter lay entirely with the defendant. In principle, an alternative, direct route to the Crown Court might be available through the use of voluntary indictment procedure. This would be an unusual proceedings, however, and it would be for the Attorney General to decide whether it was open to him to adopt it.

THE PRIME MINISTER, summing up the discussion, said that the question as to whether or not the Attorney General should seek penalties against national officers of the NUM in respect of their breach of the earlier Court ruling should be considered further in the light of the wishes of the Nottinghamshire

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miners. The Secretary of State for Energy should advise on this point. In the meantime, the Attorney General should give further consideration to the question of his locus in any such proceedings in the light of the latest judgement of the High Court. The position regarding the rate at which committal proceedings were taking place in the Courts was not entirely clear. The Home Secretary, together with the Lord Chancellor and Attorney General, should further investigate alleged cases of delay. They should pursue vigorously all available means of accelerating the prosecution of alleged offences arising from the dispute and report further to the Group.

The Group -

1. Invited the Secretary of State for Energy to advise further on the likely attitude of the Nottinghamshire miners to action by the Attorney General to seek penalties against national officers of the National Union of Mineworkers in respect of their breach of the earlier decision of the High Court.
2. Invited the Home Secretary, consulting the Lord Chancellor and the Attorney General, to pursue vigorously all possible means of accelerating the prosecution of alleged offences arising from the dispute; and to report further to the Group.

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2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that there were some promising signs that day. Statements by Mr Connolly, the National Docks Officer of the Transport and General Workers Union (TGWU) to the effect that assurances given by the Government on the future of the National Dock Labour Scheme (NDLS) had no bearing on the strike, had increased confusion generally, and no doubt among dockers in particular, over the true nature of the points at issue in the dispute. It had been reported in the media that the TGWU convenor from Dover had travelled to London earlier in the day to seek the exclusion of his port from strike action. There were reports, though it was not yet clear what weight should be attached to them, that normal handling of freight might even resume at Dover the next morning. If this were so, it was reasonable to hope that workers at some other ports affected by the dispute might be tempted to follow suit.

No serious shortages owing to the strike were imminent. Supplies of bacon, paper, hard wheat and packaging materials might begin to run short in about 2 weeks and oil; wheat and fats after 3 weeks. Cotton might begin to run out after 4 weeks and wood pulp after 5.

The other main development that day was action by lorry drivers imposing blockades in the United Kingdom on the M20 and in France at Calais. The blockade in France, largely by British hauliers, threatened to spread to additional French ports. He understood that French hauliers had threatened to spread the blockade to all French ports.

THE SECRETARY OF STATE FOR EMPLOYMENT said that both sides in the dispute had met at 6.00 pm that evening under the auspices of the Advisory, Conciliation and Arbitration Service (ACAS) and were expected to continue the meeting on the following afternoon. This was unexpected: it had been thought unlikely that the sides would meet until the following day or the day after, following the conclusion of the Delegate Conference to be held by the TGWU on the morning of 19 July.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that his sources confirmed that dockers at many ports were confused and dissatisfied over the reasons for the strike, though it seemed that support for it continued solid in most or all of the larger scheme ports. There were indications, also, that TGWU members employed in road haulage had been bringing pressure to bear on the unions to bring the dispute to an early resolution.

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD said that, with the harvest coming on, the country contained sufficient stocks of basic foodstuffs for more or less indefinite endurance. Stocks of processed foods stood at 4-6 weeks and of animal feed at 3-4 weeks, extendable to 5-6 weeks if access were possible to supplies of soya currently strikebound in Liverpool docks. Problems could arise quickly, however, if panic buying were to begin. It was necessary for Ministers to be extremely careful to say nothing which might stimulate such a development, bearing particularly in mind that direct appeals against panic buying in the past had had a markedly counterproductive effect.

THE MINISTER FOR THE ARMED FORCES said that existing plans for Service assistance in dealing with the effect of a dock strike, which were based on maintaining supplies only of the essentials of life, were being reassessed. It was clear already that Service manpower and plant could be provided from within Great Britain on a considerably larger scale than that provided for under previous plans. For these resources to be put to effective use, however, it would be necessary both to be satisfied that such action would be intrusive in the circumstances and that skilled management personnel were available to direct the use of Service resources.

THE PRIME MINISTER, summing up the discussion, said that the news of lobbying by TGWU members for a conclusion to the strike was welcome, as were the concerted and effective efforts which had been made by businessmen and Members for ports constituencies to expose the lack of any reasonable basis for the strike and mobilise opinion against it. It was to be hoped that these efforts would be maintained at their present intensity. In their public statements, Ministers should continue to press home the point that serious doubt existed about the existence of any valid grounds for continuing with the dispute.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

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19 July 1984

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MISC 101(84) 29th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 23 JULY 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Douglas Hurd MP
Minister of State, Home Office

The Rt Hon Lord Gray of Contin
Minister of State
Scottish Office

ALSO PRESENT

Mr John Gummer MP
Minister of State
Department of Employment

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL AND DOCKS INDUSTRIES

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INDUSTRIAL ACTION IN THE COAL AND DOCKS INDUSTRIES

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits fully working that day numbered 26 with a further 20 on holiday; those producing some coal numbered 6 with 2 on holiday; and those with some men in numbered 2 with a further 2 on holiday. Allowing for the effects of holidays, which began that week in Nottinghamshire, these figures were the same as for the previous week. Coal deliveries the previous week had been the best for any week since the beginning of April.

Attendances that morning both at Warsop and in Lancashire were good, but there had been violence at Bilston Glen, where 15 men had gone in and coal had been produced. Twelve men who had returned to work before the holidays but had worked on maintenance at the pit during the annual closure were now on holiday themselves: hence the apparent reduction in numbers of men working at Bilston Glen compared with 3 weeks previously. The judgement of the Chairman of the National Coal Board (NCB) was that attendances at the pit would grow.

Heavy picketing had been reported that morning at Shirebrook. He understood, however, that both the South Wales and Yorkshire areas of the National Union of Mineworkers (NUM) were now running short of funds to finance mass picketing.

The Nottinghamshire Area Council of the NUM was due to meet that day for the first time since it had come under the majority control of non-strikers. It would consider resolutions on a number of matters: he would report the outcome to the Group.

THE MINISTER OF STATE, HOME OFFICE, said that, in addition to heavy picketing at Shirebrook and other pits where men had gone back to work, violence and intimidation continued. At Shirebrook on the previous evening, 40 men had stoned the house of one working miner. It was not yet clear whether members of the working miner's family had been in the house at the time. He would

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obtain further details and report to the Group. Three arrests had been made after police reinforcements had been called to the incident. In a second incident nearby, an attempt had been made to set fire to a hut with a police officer and a watchman inside.

THE ATTORNEY GENERAL said that he and the Home Secretary continued to examine ways of avoiding delay over the prosecution of offences arising from the dispute. He was satisfied, however, that using voluntary bills of indictment to circumvent delays in committal proceedings would be unusual and could not be justified. He had considered further whether it would be appropriate for him to take action in the Courts to seek penalties against the national officers of the NUM in respect of breaches of earlier decisions by the Court forbidding discussion or voting on the rule change proposed at the recent Special Delegate Conference of the NUM. He had concluded that action by him would be inappropriate particularly since the Nottinghamshire miners who had brought the High Court action had said explicitly that they did not wish to see penalties imposed. It was clear, however, that the Nottinghamshire miners would take further action in the High Court at once if the strike leadership tried to make use of the purported new disciplinary procedures. There was thus no action to be taken by the Government for the time being under the civil law.

THE SECRETARY OF STATE FOR EMPLOYMENT said that a case which had been brought by a haulier in South Wales against the South Wales area of the NUM was due to be heard that Thursday, 26 July.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY reported that the British Steel Corporation (BSC) continued to maintain production at a commendably high level. Production was now falling below the level of recent weeks because of the holiday season, but in its last week of full working the Corporation had achieved production levels higher than those immediately before the strike.

In discussion the following were the main points made -

- a. The issues, personalities and other circumstances of the dock strike had differed from those of the miners' strike in ways which made it difficult to draw lessons for one dispute from the conduct of the other.

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The docks dispute had, however, shown that it was possible for the management and others involved to influence strikers by forcefully and repeatedly presenting a limited number of key points which were crucial to the motivation of those on strike.

b. If the strike continued, it might be desirable shortly for the NCB to proceed with the closure of uneconomic pits. This would bring home to the strikers the futility of further sacrifices in the dispute and avoid the danger that the NCB might appear vindictive when it came to implement planned closures, possibly on an accelerated timescale, following the conclusion of the strike. On the other hand, this course would require the NCB to set aside procedures which it had agreed with the unions for discussing proposed closures. Although it could be argued that this would be justified in the circumstances, it was necessary, before proceeding, to consider carefully the likely effects on both striking and non-striking miners of implementing closures now. The management of the NCB were aware of the possibility, and the initiative for pursuing it lay with them. The timing of any such move would need careful consideration, particularly bearing in mind the incidence of holidays in various coalfields.

c. The Government should consider now whether it would be desirable to take measures for the long-term calculated to decrease still further the dependence of the economy, and particularly of the Central Electricity Generating Board, (CEGB) on coal. It could be argued that announcing such measures while the strike continued might influence strikers towards returning to work. It could, however, also be argued that such announcements would be likely to have a counterproductive effect on opinion among both striking and working miners, particularly if the prospects for the future of the coal industry appeared to be adversely affected.

THE PRIME MINISTER, summing up the discussion, said that the Group hoped that the NCB would review its current publicity in the light of the presentational success achieved by the docks employers and others in the docks dispute. For the present, there was no sign of an early end to the mining dispute. It would be necessary shortly to consider the implications if the strike were still

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on during the annual conference of the Trades Union Congress, which was due to take place in September. The Government's immediate priority remained to increase endurance to an absolute maximum by seeking to increase the production and delivery of coal. The Secretary of State for Energy should complete as soon as possible the measures recently identified to accelerate the rate of deliveries to power stations. He should investigate, and report to the Group on, reports that the completion of the interconnection currently under construction with France had been delayed. He should also consider, in consultation with the Secretaries of State for Employment and Transport, whether it might be feasible in current circumstances to increase levels of deliveries from open cast production above those envisaged in existing plans. He should keep the Group informed of developments concerning tactical options, the initiative for which lay with the management of the NCB. The Secretary of State for Transport should report to the Group on efforts by the Board of British Rail to secure a return to normal deliveries of coal by rail. Ministers should continue as in recent weeks to help in promoting the truthful and accurate presentation of the issues in the dispute.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion; and invited the Ministers concerned to be guided accordingly.
2. Invited the Secretary of State for Energy, taking into account the points made by the Prime Minister in her summing up, to consider and report on whether endurance was being maximised by all practical means currently available.

Cabinet Office

24 July 1984

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MISC 101(84) 30th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 25 JULY 1984 at 3.45 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Mr John Moore MP
Financial Secretary, Treasury

Mr Alexander Fletcher MP
Parliamentary Under-Secretary
of State, Department of Trade
and Industry

ALSO PRESENT

Mr John Gummer MP
Minister of State
Department of Employment

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the number of pits working were the same as on the previous day. Attendances at working pits were good. At Hem Heath, which was now in full production, there were record attendances that day. More than 90 men had gone in at Shirebrook despite heavy picketing. The media that day had reported limited but welcome signs that pressure might be growing among strikers for a return to work. Movements of coal continued at a high level, given the strike: in the previous week, stocks at power stations had fallen by only 75,000 tonnes.

The loading of iron ore was due to resume at Immingham on the following day. He hoped that the importance of providing no pretext for further industrial action by dockers there had been forcefully impressed on the local management of the Central Electricity Generating Board (CEGB).

Serious instances of intimidation of miners wishing to work continued to be reported. One man who had earlier returned to work at Bilston Glen had stayed away that day after all the windows in his house had been broken the previous night. A second man had gone into Bilston Glen that morning in spite of having to pass through a gathering of 40 men outside his house. Such incidents appeared well-planned, and seemed in some cases to be directed particularly against men whose attendance was crucial to any production of coal. He understood that the National Coal Board (NCB) would be telling the police the identity of men who might be particularly at risk.

THE SECRETARY OF STATE FOR SCOTLAND said that he understood that the police were stepping up their operations at Bilston Glen and other pit communities in Scotland to seek to counter incidents of intimidation of the kind reported by the Secretary of State for Energy.

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THE SECRETARY OF STATE FOR TRANSPORT said that he saw no immediate prospect of a marked improvement in the movement of coal by rail. Attempts by British Rail (BR) to take a hard line with staff who refused to operate coal trains had not led to a return to normal working by the staff concerned, whose normal wages were paid by their unions if they were sent home. The BR Board were considering their options, but were inclined to believe that the rail unions might take advantage of any attempt to impose stricter industrial discipline to call a strike on the railways with the object of supporting miners. He considered that this threat must be taken seriously and that the right course was for BR to proceed cautiously for the immediate future.

In discussion the following were the main points made -

a. The NCB had made it clear that they would consider, in the light of the outcome of the meeting of the National Executive of the National Union of Mineworkers (NUM) on the following day, whether or not the draft agreement which they had offered as a basis for a settlement should remain on the table. Withdrawal would prevent the NUM, should negotiations with them resume, from appropriating the concessions which the Board had already been prepared to make and seeking more on top. The return to work might be accelerated if the formal position of the NCB left open the possibility that the dispute might eventually be brought to an end on terms which were less, not more, favourable to the strikers than those already rejected by their leadership.

b. The time might be drawing closer when it would be appropriate for the NCB to turn to new ways of stimulating a return to work, whether by easing access to striking pits for those wishing to work (for example, by the provision of secure transport); or by action calculated to have a more general effect on the motivation of strikers (for example, by proceeding with pit closures). Any such action would, however, need to be carefully timed and deftly handled, bearing in mind considerations such as the incidence of holidays in various coal fields, the timing of the Annual Conference of the Trades Union Congress and other industrial relations issues inside and outside the coal industry.

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THE PRIME MINISTER, summing up the discussion, said that, although reports of an increase in activities by miners and miners' families in support of a return to work were welcome, it was essential to maintain the police effort to counter intimidation at least at its present level of effectiveness; and, if possible, to increase it in the interests particularly of the womenfolk and children of the men affected. The Group would wish to consider in due course any developments which might occur at the meeting of the National Executive of the NUM on the following day. In the meantime, with the approach of the Parliamentary Recess, it would be necessary at Cabinet on the following day to decide on arrangements for the monitoring of the dispute by the Government during the holiday period; and for continuing the co-ordination, under the aegis of the Secretary of State for Energy, of the day to day presentation of the Government's stance on the dispute to its supporters, to miners whether working or on strike and to the public.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office
26 July 1984

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MISC 101(84) 31st Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in the
Prime Minister's Room, House of Commons
on MONDAY 30 JULY 1984 at 5.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MF
Attorney General

SECRETARIAT

Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that it was now the peak of the holiday season in the coalfields. Pits fully working numbered 20, with a further 26 on holiday. The peak would be past when the Nottinghamshire pits returned to work in the following week.

Movements of coal during the previous week were good: stocks at the power station had reduced by only 220,000 tonnes.

The heaviest picketing that day was in Derbyshire, but numbers of pickets active were smaller than they had been earlier in the strike - about 3,500, compared with a peak of about 10-12,000.

Eight coal faces had now been lost during the strike and more were giving cause for concern. He would report on whether there was any chance that the lost coal faces might reopen in future.

THE SECRETARY OF STATE FOR SCOTLAND said that coal continued to be cut at Bilston Glen, but there had been no significant increase that morning in the number of men in. Reports that morning of a return to work at other Ayrshire pits appeared to be due to men providing safety cover being mistaken for returning strikers.

THE HOME SECRETARY said that a second stipendiary magistrate was being appointed at Rotherham and a further application was expected for a stipendiary at Mansfield.

Prosecutions were the responsibility of county prosecuting solicitors, who were the servants of the police. The police still maintained that offences were being prosecuted as quickly as possible. He would seek to persuade them to increase the rate of prosecutions and to give priority to the most serious cases.

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Police in Nottinghamshire were treating a fire the previous day at a haulier's premises as arson. An arrest was imminent.

THE SECRETARY OF STATE FOR EMPLOYMENT said that the High Court that day had fined the South West area of the National Union of Mineworkers (NUM) £50,000 for breaches of an earlier order banning unlawful picketing of two haulage companies carrying coal and coke from the Port Talbot steelworks. The judge had said that a writ of sequestration would be issued on 1 August unless the fine was paid: the delay was intended to allow the union to retrieve assets thought to have been secreted. It appeared that the judge might have considered the commitment to prison of union officials had the plaintiffs sought it. Mr Scargill had issued a statement calling -

"on the British trade union movement.....to give total physical support to the NUM".

The Welsh miners' executive had issued a statement criticising the court, the plaintiffs and the Government, and including a statement that -

"the South Wales area of the NUM would carry out the TUC decision on anti-trade union laws. In doing so, we are carrying out national NUM policy of total non-co-operation with the courts in relation to the anti-trade union laws passed by the Thatcher Government".

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the position in the steel industry was quiet at present during the holiday period. A possible difficulty might arise shortly, when registered dock workers now being trained to operate iron ore loading equipment at Immingham, in respect of which the breach of the National Dock Labour Scheme which had given rise to the recent dock strike had occurred, would be asked to load iron ore onto lorries. Loading at the port would normally be onto trains, which were now blacked because of the strike. If the workers refused, the British Steel Corporation (BSC) would be placed in a difficult position: cessation of movement of ore through Immingham would lead eventually to closure of the Scunthorpe works.

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THE SECRETARY OF STATE FOR TRANSPORT confirmed that all movements of coal and iron ore to steelworks by rail continued to be blacked. Railwaymen sent home for refusing to drive coal and ore trains were now receiving from their unions only £10 per day, and not their full pay as previously.

In discussion, it was suggested that the South Wales NUM might conceivably pay the fine imposed by the High Court. Their statement was more equivocal on this point than might have been expected had a decision already been taken in favour of outright defiance. If the court action succeeded in reducing the ability of the South Wales NUM to carry on the strike, it would show that it might be possible for the civil law to be used more widely against individual striking areas of the NUM without the risk of sequestration of national funds in which men still working, as well as strikers, had a stake.

THE PRIME MINISTER, summing up the discussion, said that the Home Secretary, consulting the Lord Chancellor and Attorney General, should continue to take all available steps to encourage prompter prosecution of offences committed in the course of the dispute. The next significant events for the course of the dispute were likely to be the actions of the South Wales area of the NUM following that day's judgement by the High Court; and the Delegate Conference called by the union for 10 August. She and other Ministers should be guided by advice from the Secretary of State for Energy in what they said publicly about the dispute over the next few days, and in particular in the debate in the House of Commons on the following day on the Government's economic, employment and industrial policies. They should counter suggestions for the appointment of a mediator by referring to the intransigence of Mr Scargill, as shown in his rejection of reasonable proposals by the National Coal Board (NCB) and in his introduction of additional demands whenever negotiations appeared to reach a hopeful stage on the issue of closures. They should refer to the need for a ballot to establish whether the strike leadership spoke for the majority of miners. They should, however, avoid saying anything which might adversely affect return from holiday of the Nottinghamshire coalfield the following week; or which might make it difficult for the NCB to withdraw the terms already rejected by the NUM if they decided that that would be the best course. The situation over the loading of iron ore at Immingham would need to be

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watched carefully. BSC would clearly wish to avoid precipitating a renewal of industrial action in the docks. If the dockworkers were to refuse to load the iron ore on to the lorries, the best course might be for BSC to use the time provided by their existing stocks of ore at Scunthorpe to enable pressure to be brought to bear on the dockers by workers concerned about the future of the Scunthorpe plant. Ministers would resume discussion of the dispute at Cabinet on 2 August.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

31 July 1984

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MISC 101(84) 32nd Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 8 AUGUST 1984 at 4.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

Sir Patrick Mayhew QC MP
Solicitor General

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for
Transport

Mr John Moore MP
Financial Secretary, Treasury

Mr Allan Stewart MP
Parliamentary Under-Secretary
of State, Scottish Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 120,000 tonnes of coal had been moved on the previous day. This was a good figure for the number of pits working. Difficulties on the railways continued, though the 20 principal coal trains run on the previous day were an improvement on the day before. Road movements of coal had grown considerably over recent weeks.

There were some indications of a rift between the Scottish and National leaderships of the National Union of Mineworkers (NUM). Meetings on 10 August of the National Executive and of a Delegate Conference of the NUM might give further indications of the mood of miners from different areas.

He planned to make a speech on the evening of 10 August. Among other things, he intended to raise the question of the attitude of the Trade Union movement in general to the recent attacks on the National Coal Board (NCB) and other property.

THE HOME SECRETARY said that the concerted attacks which had taken place on property, deplorable though they were, might reflect dissatisfaction with the limited success of the strikers' earlier tactics of mass picketing and personal intimidation in spreading and maintaining the strike. They might also suggest a lack of manpower for further widespread mass picketing. The general effect had been to damage the strikers' cause. It was clear that the attacks were organised. The Chairman of the Association of Chief Police Officers was in Derbyshire in connection with investigations which had been set in hand. Chief Constables from the areas affected would meet on the following day to discuss how to improve preventive and detective measures and the co-ordination of the police forces concerned.

The Stipendiary Magistrates who had been appointed would sit shortly. The police were being encouraged to give serious non-indictable offences priority for prosecution.

SECRET

AND PERSONAL

SECRET

AND PERSONAL

He would make a speech in Scotland on 11 August. To the extent that he could properly do so, he would stress the seriousness of the offences committed during the week and the extent of the penalties available to the courts.

THE SECRETARY OF STATE FOR TRANSPORT said that trouble which continued at British Rail's (BR's) Westhouses Depot was nominally due to plans which BR had to close the depot and transfer the men there elsewhere. BR hoped by careful handling to improve the numbers of trains run from the depot.

More generally, the situation on the railways had worsened. The rail unions were threatening a one-day strike on 12 September, and withdrawal of co-operation - effectively a work-to-rule - from 10 September. The unions claimed that this action had been called because of anxiety about levels of investment, although the recent record on investment was, in fact, good. The true motive of the unions was probably a wish to help the NUM while at the same time exploiting difficulties caused by the miners' strike to their own advantage. BR would be trying hard between now and early September to demonstrate publicly the lack of any justification for industrial action.

In the docks, a problem had arisen at Hunterston, where the British Steel Corporation (BSC) wished to dock the bulk carrier "Ostia". The ship was carrying a cargo of coal for Ravenscraig and had been blacked by the Transport and General Workers Union (TGWU). There was a feeling in the industry that the TGWU might seek, at a time of their choosing, to find a further purported breach of the National Dock Labour Scheme as an excuse for a further dock strike, but it was thought unlikely for tactical reasons that they would wish to do so before the end of August.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that two trains had run that day from Immingham to Scunthorpe. It was clear that this was an isolated event and not a sustainable resumption of rail traffic. At Ravenscraig, men involved in a minor dispute within the plant were now back at work.

At Hunterston, the blacking of the "Ostia" by dock workers appeared to be due to a desire to support the striking miners. Unless the cargo of the "Ostia" was made available, it would be necessary for the BSC to bank, and eventually

SECRET

AND PERSONAL

to close down, the furnaces at Ravenscraig. In principle, banking might become necessary on 12 August, though it was probably that BSC could find ways of delaying it for some days further. If Ravenscraig were to close, it was not certain that it would reopen.

In talks which had adjourned that afternoon, TGWU representatives had offered to permit a resumption of rail supplies to Ravenscraig at levels lower than the current throughput of the plant. This offer, which BSC regarded as inadequate, would be discussed on the following day by representatives of the TGWU, the rail unions and the NUM. Talks between the unions and BSC would resume on 10 August. If no agreement satisfactory to BSC was reached then, the Corporation proposed to take the question to the local Dock Labour Board, and thereafter to the National Dock Labour Board, if possible by the beginning of the following week. If the Boards decided in favour of BSC, or if members were equally divided, the Corporation proposed to bring the "Ostia" in, having in the meantime publicly established their entitlement to do so by strenuous action through the media. If the ship was brought in without TGWU agreement, the crew would remove the hatches at sea, which was a normal procedure. The ship would dock without the help of TGWU tugmen and boatmen and would be unloaded by members of the Iron and Steel Trades Confederation (ISTC), who had been firm in their support for the BSC. The only part normally played by TGWU members in unloading was "trimming" the cargo in the holds to bring it all within the reach of the grabs: this would be left undone, leaving a small amount of coal on board the ship.

It was possible, though by no means certain, that action on these lines by the BSC would be followed by a call for a renewed national dock strike. The alternative, however, would be either to surrender to the TGWU blacking, with potentially very grave implications for Ravenscraig; or to take action in the courts against the TGWU over the blacking.

In discussion, the following were the main points made -

- a. A further national dock strike would be most unwelcome. On the other hand, the TGWU might well not think that the position at Hunterston offered a promising basis for one. The effects on Ravenscraig would

bring them into serious confrontation with the ISTC and with many of their own members who relied for their livelihood directly or indirectly on the Ravenscraig works. It was clear that the TGWU were themselves in breach of the National Dock Labour Scheme in blacking the "Ostia", while the BSC were confident that they were entitled to dock and unload the ship. Moreover, if it was the intention of the TGWU to precipitate a dock strike, they would probably have little difficulty in finding an excuse to do so, and not necessarily at Hunterston. Although it was possible, it was thus perhaps not probable that a national dock strike would result from proceeding with the unloading of the "Ostia" in the way now being considered by the BSC.

b. The BSC were clearly right in attaching great importance to careful public presentation of their case before bringing in the "Ostia". It would obviously be important to make it clear that any industrial action which might follow in the docks, and any consequences for Ravenscraig, were the result of unreasonable action by the TGWU, and not of provocation by the Corporation.

THE PRIME MINISTER, summing up the discussion, said that the Group had noted that the British Rail Board would be exerting themselves between now and September to demonstrate the lack of any justification for the industrial action threatened on the railways. The violent, and apparently co-ordinated, attacks on property which had taken place that week were a most serious development: all available means should be used to prevent such attacks and to prosecute those responsible where they did occur. Ministers should continue in their public statements to deplore violence and, where appropriate, to press the strike leadership and their supporters in the trade unions and elsewhere to repudiate it. The Group had noted the circumstances in which the BSC would wish to dock and unload the "Ostia" at Hunterston without TGWU labour. The Corporation was clearly right both in planning to do so only after the procedures available under the National Dock Labour Scheme had been scrupulously followed; and after their case had been presented publicly with great care so as to make it clear that they were reacting in a measured and fully justified way to provocation by the TGWU. The Group

SECRET

AND PERSONAL

strongly hoped that the closure of Ravenscraig could be avoided. No doubt the Corporation would ensure that steelworkers and public opinion, particularly in Scotland, were aware of the potentially grave consequences for Ravenscraig if the "Ostia"'s cargo was not delivered. The Secretary of State for Trade and Industry should arrange for the position to be kept under consideration, in consultation with the Secretaries of State for Transport, Energy and Employment; and for further significant developments to be reported to the Group.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Trade and Industry, in consultation with the Secretaries of State for Transport, Energy and Employment, to arrange for the position at Hunterston to be kept under consideration; and for further significant developments to be reported to the Group.

Cabinet Office

9 August 1984

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MISC 101(84) 33rd Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in Conference
Room A, Cabinet Office, Whitehall on
TUESDAY 21 AUGUST at 2.30 pm

PRESENT

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Douglas Hurd MP
Minister of State, Home Office

Mrs Lynda Chalker MP
Minister of State
Department of Transport

Sir Patrick Mayhew QC MP
Solicitor General

Mr Giles Shaw MP
Parliamentary Under-Secretary
of State, Department of Energy

Lord Trefgarne
Parliamentary Under-Secretary
of State for the Armed Forces
Ministry of Defence

SECRETARIAT

Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

THE LORD PRESIDENT OF THE COUNCIL said that he had convened the meeting, the first for two weeks, to take stock of developments in the usual range of matters arising from the coal strike.

The Group considered a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR ENERGY said that 41 pits were working normally, 8 turning some coal and 8 had some men present, while 98 were on strike or picketed out. It was the holiday period at 4 pits which would otherwise be working normally, at 1 which would be turning some coal and at 14 which were on strike or picketed out.

610,000 tonnes of coal had been produced during the previous week and 423,000 tonnes delivered to the Central Electricity Generating Board (CEGB). The total for the previous week of 140 coal trains run was the best for four weeks.

Each National Coal Board (NCB) area now had some men at work. More than 100 were working at Bilston Glen, 152 at Shirebrook and 125 at Warsop: none of these three pits was yet working normally, but the mix of workers who had returned meant that each was now capable of at least intermittent production. Small attendances in the North East region and in South Yorkshire, and other areas where the strike had previously been solid, represented a significant, but delicate, improvement. The Chairman of the NCB was keen to maintain a climate favourable to further, gradual improvements. The return of some workers in previously strikebound areas had led to withdrawal of safety cover by the National Union of Mineworkers (NUM) in a number of cases, causing risk to some of the pits concerned.

Channel 4 news that evening would include an item on Cortonwood. The same programme on the following day would include a debate on numbers of miners at work, to which Mr Scargill had challenged the NCB during the previous week.

It would take the form of a link between Mr Scargill, who it was thought likely might be in Selby with a number of supporters; and Mr Ned Smith of the NCB, who would be in a studio in London. The NCB hoped that it would be possible to air wider issues arising from the dispute, as well as discussing numbers working.

THE MINISTER OF STATE, HOME OFFICE said that the beginnings of a return to work in previously strikebound areas marked a new and difficult phase in the policing of the dispute: it required the police to arrange access for small numbers of miners to closed pits in the face of large-scale picketing. The NCB, representatives of miners wishing to work and others should try further to improve their liaison with local police.

Six striking miners had been remanded in custody in Staffordshire on the previous day charged with arson of coaches used to carry working miners. In Derbyshire, a striker had been sentenced to nine months' imprisonment for sabotage at a NCB depot.

THE MINISTER OF STATE, DEPARTMENT OF TRANSPORT said that British Rail (BR) expected to run 30 coal trains that day. Although the 27 coal trains run on the previous day was the highest Monday total for six weeks, and included two trains from Coalville and two from Westhouses, there had been no significant change in the pattern of refusals of coal traffic by railwaymen. BR had handled difficulties which had arisen over oil traffic in recent days in a low key. This appeared to have been successful: a further oil train had moved to Ironbridge that day. The BR Board were maintaining pressure on the rail unions over their proposed industrial action in September and were to meet them later that day.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that British Steel Corporation (BSC) had generally maintained planned production. The Group were aware, however, of the problem at Hunterston, where BSC wished to bring in the bulk carrier Ostia with a cargo of 92,000 tonnes of coal. The coal was of a type urgently needed for producing a blend which would allow the steelworks at Ravenscraig to remain in production and was sufficient to maintain the plant for four weeks. BSC had sought through the local and national Dock Labour Board machinery to establish their right to berth and unload the

SECRET AND PERSONAL

Ostia, which had been blacked by the Transport and General Workers Union (TGWU) in support of striking miners, if necessary without the participation of TGWU members. It was known that TGWU dock workers at Hunterston had been prepared to unload the ship, but had been prevented by Scottish and National Officers of the Union. In spite of receiving legal advice which appeared to support the BSC case, the National Dock Labour Board (NDLB) had avoided ruling on the matters put to them and referred the question back to the local Dock Labour Board.

This placed BSC in a difficult position. They said that they required the Ostia's cargo by 23 or 24 August or it would be necessary for them to begin closing Ravenscraig. This would involve closing the coke ovens and one of the two operating furnaces, which would allow the second furnace to endure for six weeks. If Ravenscraig closed, it was hard to see how it could reopen. The closure of the ovens was likely to cause damage which it would be impracticable to repair. Reopening the plant relying on outside supplies of coke would make it more vulnerable and less economic than before.

If local discussions now under way failed to produce an acceptable solution, the management of BSC wished to bring in the Ostia on the morning of 23 August. They proposed to do so with or without the co-operation of local TGWU members. BSC employees would, however, do only work which was by practice and agreement done by members of the Iron and Steel Trades Confederation (ISTC); and would conform with the terms of the local port agreement concluded on 16 May 1984. In particular, that agreement provided that the services of TGWU tugmen and boatmen should always be ordered by vessels wishing to berth, but did not specifically prohibit unassisted docking if such orders were not responded to. Though the agreement required registered dock workers to be allocated to unloading vessels, the right was specifically reserved to the Corporation after consultation to unload using grabs operated by ISTC members in the absence of registered dock workers. A further requirement in the agreement that registered dock workers' work should not be done by other workers would not be breached if the trimming of cargo in the ship's hold, normally carried out by TGWU members, was left undone.

SECRET AND PERSONAL

BSC thus had four choices -

- i. To refrain from berthing the Ostia and to close the coke ovens and one of the furnaces at Ravenscraig. BSC could continue to satisfy its market by increasing production in South Wales.
- ii. To berth the Ostia, but have it sail again without unloading if the TGWU declined to co-operate.
- iii. To berth and unload the Ostia with or without TGWU co-operation.
- iv. To seek an interdiction to require the TGWU to cease its blacking of the Ostia.

No solution which precluded unloading the Ostia met the BSC's requirements. The option of legal action was unattractive because an interdiction - the Scottish equivalent of an injunction - could not be obtained quickly while the Courts were in recess. He therefore concurred with the intention of the BSC if necessary to bring in and unload the Ostia without the co-operation of the TGWU.

In discussion, the following were the main points made -

- a. The performance of the NDLB had been unsatisfactory and its ruling inadequate. It was clear, however, that there was some conflict between the Order governing unloading procedures and the local agreement at Hunterston. Although legal advice to the NDLB had established that free grabbing at Hunterston was ISTC work, it seemed not to have addressed fully the question of supervision and control of the work. Press reports that day that the decision of the NDLB amounted to a ruling against BSC were clearly incorrect, but, on the other hand, it was not possible to interpret the Board's conclusions as implying clearance for the Corporation to proceed as they had proposed.
- b. There was very great media interest in Scotland in events at Hunterston and the risks they posed for Ravenscraig. Public opinion there was strongly on the side of those trying to avoid the closure of the plant.

The indications were that the TGWU might find it difficult to maintain a dock strike within Scotland at a level which either achieved solidarity or produced seriously damaging consequences. If there were doubts about the ability of the TGWU to pursue a strike successfully within Scotland, doubts about their ability to maintain a national dock strike must necessarily be greater.

c. The TGWU did not appear actively to be seeking a pretext for a national dock strike. There were indications that they expected local discussions on the dispute to continue for some little time without dramatic developments. There was thought to be a feeling within the union that the strike in July had been called without adequate preparation of the ground, and that Dover and Felixstowe in particular were unlikely to respond to a further call at present. On the other hand, the National Docks Officer of the TGWU had said publicly that, if the Ostia were brought in, a national delegate conference of the union would be convened with a view to calling a national dock strike. There must therefore be a real risk that docking or unloading the Ostia without TGWU co-operation might lead to a national dock strike, though the odds seemed, on balance, slightly against this.

d. A minority in the Group had doubts as to whether it would be right to bring in the Ostia now if no satisfactory local agreement could be reached. A national dock strike, as well as being undesirable in itself, might affect the return to work taking place in the mines and lead to increased sympathetic action against coal movements. It would provide fuel for trade union militancy on the eve of the Annual Conference of the Trades Union Congress. Most members of the Group, however, considered that it would be right to give the Government's support to BSC and its work-force if it became urgently necessary to dock the Ostia without TGWU co-operation in order to sustain Ravenscraig. It would be important, however, in any public statements to avoid any implication that the Government guaranteed an indefinite life for the plant.

e. It appeared that arrangements for the television debate on 22 August between the NUM and NCB on the numbers of miners at work were unorthodox and might unduly favour Mr Scargill. The NCB might be well advised to seek to insist on similar studio presentation for both the NUM

SECRET AND PERSONAL

and NCB cases. As the arrangements currently stood, the NCB would be justified at least in insisting on a presence by working miners on the programme to balance Mr Scargill's supporters; and on seeking to broaden the discussion to questions such as violent mass picketing, arson, intimidation and other criminal conduct by or on behalf of the strikers. It would be most important also to ensure well in advance that nothing in arrangements for presenting the NUM end of the programme could lead to potential embarrassment for the police.

THE LORD PRESIDENT OF THE COUNCIL, summing up the discussion, said that the Group noted that the first step being taken by BSC over the question of coal supplies via Hunterston was to renew local discussions and to seek a local agreement which would allow coal to be brought in and supplied in sufficient quantity to the steelworks at Ravenscraig. This was consistent with the decision of the NDLB on the previous day to refer the question back to local NDLS machinery. It was likely that in local negotiations the TGWU would suggest quotas for the delivery of coal to Ravenscraig in quantities which they considered sufficient to maintain the plant. Agreement to such quotas would be undesirable, not only on principle, but also on practical grounds, given that the NUM and railway unions would also need to be parties to the arrangement; and that previous arrangements of the same kind had broken down. The Group accepted, however, that BSC might wish to accede to an agreement presented as a quota if by doing so they could secure adequate levels of supplies for Ravenscraig which they could not negotiate on other terms while saving the face of the TGWU. BSC would continue with local negotiations until either a favourable outcome was reached or it became urgently necessary for them to make the cargo of the Ostia available in order to prevent the need to close down coke ovens or furnaces at Ravenscraig. When that point was reached, the Group noted that BSC would bring in the ship, with or without TGWU tugmen and boatmen, and unload it in the normal way by using steelworkers to operate the grabs, while if necessary leaving undone the trimming work which was normally carried out by registered dock workers. They noted that BSC considered that a decision to dock the Ostia might be necessary as early as the following day. It was obviously necessary for BSC to consult at each stage with the Secretary of State for Trade and Industry, with their local workforce, with the port authorities, with the NCB and with others involved; and, so far as possible,

SECRET AND PERSONAL

SECRET AND PERSONAL

to maintain conformity with the letter of the local agreement of May 16. Public presentation of the BSC case, whose strength appeared to be much better appreciated so far in Scotland than elsewhere, would be most important. The Group strongly hoped that BSC would make urgent and strenuous efforts to establish their entitlement to unload the Ostia on the basis they had suggested to the NDLB, to correct mistaken press reports that the NDLB had ruled against the Corporation's proposals and to stress the serious risk of a major loss of jobs at Ravenscraig and more widely in Scotland if the plant did not receive adequate quantities of coal. The Secretaries of State for Scotland and Employment, and, where appropriate, the Secretary of State for Trade and Industry, should be prepared to be quoted giving public support to the BSC line where that was likely to be helpful; and should, where possible, identify and pursue other means of ensuring that events at Hunterston were reported in the media in a fully-informed and balanced manner.

The Group -

Took note, with approval, of the Lord President of the Council's summing up of their discussion.

Cabinet Office
22 August 1984

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MISC 101(84) 34th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 28 AUGUST 1984 at 6.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon John Stanley MP
Minister of State for the Armed Forces
Ministry of Defence

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Mr Barney Hayhoe MP
Minister of State, Treasury

Mr Giles Shaw MP
Parliamentary Under-Secretary
of State, Department of Energy

Mr Michael Ancram MP
Parliamentary Under-Secretary
of State, Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item No	Subject	Page
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	INDUSTRIAL ACTION IN THE DOCKS	6

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF ENERGY said that pits working normally numbered 24, with a further 21 on holiday; those turning some coal numbered 6, with 2 on holiday; those with some men present numbered 10, with 2 on holiday; and those on strike or picketed out numbered 73, with 36 on holiday. The most significant recent change in these figures was due to the return of 6 men to Bold pit in Lancashire. During August, 10 pits had ceased to be strikebound. Since the beginning of July, 1126 National Union of Mineworkers (NUM) members had returned to work, though comparatively few of these were in strikebound areas. The small numbers returning in such areas continued to grow, however: in Scotland, for instance, 181 men were now working, 129 of them at Bilston Glen.

630,000 tonnes of coal had been moved during the previous week, 446,000 of them to the Central Electricity Generating Board (CEGB). Draw-down of power station stocks had been running at 40,000 tonnes per week or less for a number of weeks.

In Scotland, there was serious flooding at Polkemmet, a pit near Bathgate employing 1300 men and producing low-sulphur coal used exclusively by the British Steel Corporation (BSC) at Ravenscraig. Safety cover had been withdrawn when 2 men returned to work during the previous week and restored too late to prevent serious damage. If a return to normal working at the pit was practicable, it would take 15 months. It was possible that the pit would close, leaving Ravenscraig wholly dependent on imported coal and losing further jobs in an area affected by the recent decision to close the British Leyland plant at Bathgate. 15 coal faces had now been lost during the dispute, only 4 of them at pits thought unlikely to be capable of beneficial development.

Mr Scargill and supporters of the strike had recently given renewed prominence to purported compromise proposals put to the NCB by Mr Stan Orme MP. These supposed "compromises" had in fact been restatements of the line previously taken by the NUM in negotiations and, if adopted, would have removed the NCB's entitlement to reach a final decision on closure proposals on appeal.

from local consultative machinery. The NCB had sought, with some success, to make it clear that there was no substance in Mr Orme's proposals. The Chairman intended to write shortly to Mr Orme to put the record straight and seeking his agreement to publication of the correspondence.

THE HOME SECRETARY said that the beginnings of the return to work in areas previously strikebound had some welcome and some unwelcome implications for the police. On the one hand, fewer striking activists were available to travel from previously strikebound areas to picket in Nottinghamshire and other working areas. On the other, this made it harder for the police to control conditions outside working pits by intercepting flying pickets as they travelled; and the more diffuse pattern of picketing made effective local liaison between the National Coal Board (NCB) and the police even more important than before. The resources of the police were under strain, but could cope.

Attacks which had taken place on property were horrific, but hard to prevent. Those responsible had the advantage of surprise and could pick targets with no prior police presence. The police regarded the attacks as spasmodic, and as more likely to be the acts of an extremist minority than evidence of a central change of tactics.

Arrests in the course of the dispute now numbered 5897. Convictions numbered 1039: the most severe sentence so far was 9 months' imprisonment. Stipendiary magistrates would sit for the first time on 3 September at Rotherham and Doncaster. At Mansfield, Ramsgate and Nottingham, stipendiaries were ready to sit if defendants insisted on the older, more time-consuming form of committal proceedings.

THE SECRETARY OF STATE FOR TRANSPORT said that there had been some improvement the previous week in the movement of coal by rail. Some coal trains had run from the Westhouses depot, but men there had decided, albeit by a small majority, to continue to ban coal traffic.

The British Rail (BR) Board, following discussions with the unions, hoped that the unlimited work to rule threatened from 10 September would be avoided. It was probable, however, that the one day strike planned for 12 September would take place. It was almost certain that there would be industrial

action on London underground trains and buses on that day.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that, with the cargo of the Ostia unloaded, stocks at the steel works at Ravenscraig were sufficient for 4-5 weeks. Stocks at Teesside should last 6-7 weeks; at Immingham and Scunthorpe, 3-4 weeks (taking account of supplies through small, local quays); at Port Talbot, 9-10 weeks; and at Llanwern, 3-4 weeks.

Although it was expected that NCB would continue to be able to supply coal to coal-burning industry, there might be problems, if the strike continued past the end of the Summer, over supplies for space heating in industrial premises.

THE SECRETARY OF STATE FOR EMPLOYMENT said that it was not yet clear what the formal arrangements would be for the debate at the Trades Union Congress (TUC) Annual Conference on the motion and amendments tabled by the NUM and sympathetic unions respectively. Both the National Executive of the NUM and the Finance and General Purposes Committee of the TUC were to meet separately in Brighton on 30 August. The Finance and General Purposes Committee had invited the NUM to a meeting on 31 August, apparently in the hope of reaching some agreement before the Conference on the handling of the debate. It was thought that the TUC were seriously concerned about the possibility of disorder at the Conference. The aim of the NUM would be to carry their motion calling for unconditional support by means of an appeal to delegates' emotions. Speaking against the motion would call both for moral and, probably, physical, courage. It must be likely that the motion would be carried. In any event, it seemed inevitable both that events at the Conference would harm the standing of the TUC and that it would have an unhelpful influence on the course of the dispute, at least in the short term.

In discussion the following were the main points made.

- a. It was not clear whether the drift back to work on the present scale in itself offered the prospect of an eventual end to the strike. If the present rate of return was maintained and increased, it was possible that a critical point might be reached beyond which the present trickle might become a flood. On the other hand, the numbers returning were still very small compared with the numbers on strike.

Some further, positive action by the NCB might be necessary to stimulate matters in the hope of developments which could decisively affect the course of the strike.

- b. The violence and attacks on property which had taken place over recent weeks had been fully reported on television and very widely deplored. It was most important that it should be clear in the public mind that the admirable restraint which had been shown by the police faced with such events was in no way symptomatic of a lack of will to deal resolutely with them; and that no-one would be immune from prosecution where there was evidence of criminal conduct.

THE PRIME MINISTER, summing up the discussion, said that evidence of a continuing drift back to work, and of the beginning of its spread to previously strikebound areas, was welcome. The aim of the police should continue to be to allow access to the pits for men wishing to return. Efforts to improve still further local liaison between the NCB and the police should be kept up. What the influence of the TUC Conference on the dispute would be, and how long that influence might last, remained to be seen. The general effect seemed likely to be unhelpful, however. In the period before the Conference, it was clearly in the interests of the NCB to ensure that the media and others clearly understood that the proposals put forward earlier in August by Mr Orme were a restatement of the position of the NUM which did not provide any basis for useful negotiations; and that the proposals made by Mr MacGregor in earlier discussions with the NUM currently offered the only genuine and reasonable basis for progress towards a settlement. For the period following the TUC Conference, the NCB would no doubt be considering the options for more active measures which might stimulate an acceleration of the return to work or make a settlement more likely. Such measures might include implementing closures or redundancies or withdrawing safety cover where violence or attacks on property took place. There would be an obvious danger, of which the NCB were no doubt aware, in placing too much reliance on the example of men whose motivation or character might be regarded as disreputable by the majority of strikers; and in taking any action which might prejudice the support of working miners in Nottinghamshire and elsewhere. The Parliamentary Under-Secretary of State for Energy should report on the options open to the NCB and on the tactics they proposed to

adopt for the coming weeks. He should also investigate reports that some men on strike were continuing to receive concessionary coal. The slow rate at which offences committed during the dispute were being prosecuted continued to be widely seen as unsatisfactory. She would discuss this question separately with the Ministers chiefly concerned. The Group should meet again on 30 August: in the meantime, the daily reports prepared during August by the Department of Energy should continue to be circulated.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Parliamentary Under-Secretary of State for Energy to investigate and report on
 - a. the tactical options open to the NCB and how they intended to proceed in coming weeks; and
 - b. allegations that some strikers continued to receive concessionary coal.

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that the position in the docks was not yet clear. Scheme ports on strike were Aberdeen, Dundee, Hull, Southampton, Newport, Cardiff, Swansea, Garston, Liverpool, Fleetwood, Ayr, Troon, Clyde and Forth. Scheme ports still working were Blyth, Tyne, Sunderland, Goole, Boston, Wisbech, Great Yarmouth, Lowestoft, Poole, Plymouth, Workington and Ipswich. There was confusion at several other scheme ports: at Bristol, for example, a mass meeting had broken up with violence and uproar. It was almost certain that non-scheme ports would continue to work. Major damage to imports or exports seemed unlikely while Dover and Felixstowe remained open.

Dockers in many places were resentful at what they saw as an entirely political strike call. There was some hope that the strike would not be solid. The main danger, however, lay in the fact that, because of physical factors and traditional trade union loyalties, picketing could be expected to be effective in the docks. Effective police protection for those wishing to cross picket lines to work would be needed.

THE SECRETARY OF STATE FOR EMPLOYMENT said that the picture was one of disarray and bitterness. He was not entirely discouraged: there was evidence that the strike call had been a misjudgement on the part of the Transport and General Workers Union (TGWU), whose first aim, in order to save face, would be to sustain the dispute until the

Trades Union Congress (TUC) Conference the following week was over. Opposition to the strike at Tilbury, a port on which the TGWU could normally rely to respond solidly to any call for industrial action, was particularly heartening: the container terminal there was continuing to work that afternoon.

THE MINISTER FOR THE ARMED FORCES said that the strike had implications for the United Kingdom contribution to two major NATO reinforcement and training exercises due to begin shortly and involving the movement to the Continent of 40,000 men and 9,000 vehicles. Exercise BOLD GANNET would involve movements from 4 September through a number of ports, some of which were currently working and some on strike. Exercise LIONHEART would involve movements through a larger number of ports from 15 to 16 September. He hoped that it would be possible to proceed with the exercises. There must be a possibility, however, that to do so would involve military vehicles and men in going through picket lines.

In discussion the following were the main points made -

- a. It was important that Ministers' public statements should be in a low key and carefully calculated. The aim should be to increase the chances of a return to work, avoiding a starkly political presentation which might swing the support of the TUC Conference or wavering dockers behind the strike. The appearance of overconfidence should be avoided. The most appropriate and effective line, where comment was required, would be to point out the lack of any cause for the strike and to present the strike call as an appeal to dockers to sacrifice their wages and jobs to support the miners.
- b. Legal action might be taken quickly, particularly by smaller firms, in the event that unlawful picketing in the docks affected their businesses. Larger firms were more likely to wait until the course which the strike was likely to take had become more clearly established.

SECRET AND PERSONAL

THE PRIME MINISTER, summing up the discussion, said that it would be necessary to follow the events in the strike from day to day. The Group would discuss it further at their meeting on 30 August. The Government's public stance required careful handling: in the run-up to the TUC Conference, it should be in a low key and follow the line identified in discussion. The Secretary of State for Employment should co-ordinate a line for the use of members of the Government, consulting the Secretaries of State for Transport and Trade and Industry and taking account of the contents of the broadsheet distributed by TGWU dockers at Tilbury who opposed the strike. The amendment of the contingency plan for military assistance in the event of a dock strike should be accelerated. It was important that the United Kingdom's obligations to NATO exercises should be fulfilled. The exercises should be announced well in advance to avoid giving credence to accusations that the Government were calling in troops to break the strike. The Secretary of State for Defence and the Minister for the Armed Forces should ensure, consulting the Home Secretary and Secretary of State for Transport, that advantage was taken of any flexibility in the embarkation plans to avoid controversy or confrontation.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Employment, consulting the Secretaries of State for Trade and Industry and Transport, to co-ordinate a public line for use by members of the Government on the basis indicated by the Prime Minister in her summing up.
3. Invited the Secretary of State for Defence and the Minister for the Armed Forces, consulting the Home Secretary and the Secretary of State for Transport, to proceed with arrangements for exercises LIONHEART and BOLD GANNET on the basis indicated by the Prime Minister in her summing up.

Cabinet Office

29 August 1984

SECRET AND PERSONAL

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MISC 101(84) 35th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
THURSDAY 30 AUGUST 1984 at 11.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr Barney Hayhoe MP
Minister of State, Treasury

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

The Rt Hon Paul Channon MP
Minister of State, Department of Trade
and Industry (Minister for Trade)

Mr Giles Shaw MP
Parliamentary Under-Secretary of
State, Department of Energy

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item No	Subject	Page
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	INDUSTRIAL ACTION IN THE DOCKS	5

SECRET AND PERSONAL

121

SECRET AND PERSONAL

SECRET AND PERSONAL

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR ENERGY said that pits working normally numbered 35, with a further 10 on holiday; those turning some coal numbered 8, with a further 1 on holiday; those with some men in numbered 12 (including one additional pit in North Derbyshire); and those not working numbered 107. The return to work continued, as before, on a small scale. Numbers of men working at Bilston Glen had further increased to 133. Record attendances since the strike began had been reported again that day in North Derbyshire.

Large assemblies of strikers had been reported that day outside pits in Scotland, the North East and Yorkshire. The numbers involved across the country suggested that the activists on whom the National Union of Mineworkers (NUM) could call numbered about 10,000 in total, of whom about 3000 might be available at any one time. Mr Scargill had called that morning for mass picketing on 3 September at every pit, coking plant and National Coal Board (NCB) workshop. This was apparently an attempt to forestall further returns to work while NUM activists were distracted by the Trades Union Congress (TUC) Annual Congress. The Chairman of the NCB proposed to send a letter to the TUC before Congress began setting out the true factual background to the present phase of the dispute.

It was hoped that coal movements for the whole of that week would be 480-500,000 tonnes: this was good for a week including a Bank Holiday.

The Deputy Chairman of the NCB was visiting Polkemmet that day. The Board thought it essential that, if it proved necessary to close the pit, they should have been seen first thoroughly to have explored the possibility of bringing it back into production within a reasonable time and at reasonable cost. It was likely that the NCB would make an announcement soon about prospects for the pit. Its future, and that of the steel works at Ravenscraig, with which it was closely linked, were of great social and political importance locally: reports suggested that safety cover at the pit had been withdrawn only at the insistence of the national leadership of the NUM in the face of opposition by the Scottish leadership.

SECRET AND PERSONAL

The NCB had continued to meet a substantial proportion of the current demand for coal for industrial purposes. Institutions and industrial firms which relied on coal and coal products for space heating would meet difficulties, however, when they came to order winter supplies in September, and would experience shortages when the weather turned in October or November. Domestic consumers might also experience difficulty. It had not been possible for the NCB to keep up deliveries to the trade, who had managed to meet a high proportion of current demand during the summer only through reliance on imports. Imported coal of the appropriate quality was expensive, however, and it had not been feasible for dealers to build up winter stocks from this source.

THE HOME SECRETARY said that, in spite of strikers who continued to assemble in large numbers outside pits in some areas, the police had continued to secure access for miners wishing to return to work. The size of such assemblies in Nottinghamshire had reduced in recent days, apparently owing to the need for activists in Yorkshire to turn their attention to pits there, where men had begun to return.

Two stipendiary magistrates would sit for the first time on 3 September. He was considering ways in which further magistrates' courts could be encouraged to use the services of stipendiaries.

THE SECRETARY OF STATE FOR EMPLOYMENT said that, at the TUC Congress on 3 September, the NUM would be pressing their motion calling for total support to the strike. It was thought that they would seek a composite debate including the amendments tabled by the Associated Society of Locomotive Engineers and Firemen (ASLEF) calling for picket lines set up by the NUM and others not to be crossed and by the National Union of Seamen calling for materials moved by non-union labour or by the Armed Forces not to be handled. Other amendments which had been tabled calling for a day of action and a 10 pence per week levy on all trade unionists were likely to be debated separately.

He understood that the TUC leadership would try to put to the vote a proposal of its own, which would have primacy over the NUM motion, and which, though it would endorse the principle of support for the miners, would insist on urgent discussions between the NUM and the other unions concerned in each case before any action was taken.

SECRET AND PERSONAL

THE PRIME MINISTER, summing up the discussion, said that the Secretary of State for Energy should investigate and report on ways of increasing the supply of coal for space heating in domestic and industrial premises and in institutions. He should establish how the NCB and its subsidiaries intended to allocate available supplies of fuel for space heating to existing customers and to ~~those~~ ^{those} who normally obtained supplies from elsewhere. He should explore with the Board whether it might be possible, in the circumstances, to bring greater quantities of coal up to an acceptable minimum standard for space heating by simplifying or omitting normal treatment processes. Further possibilities which the Board would not doubt wish to consider would include making continuation of supplies of concessionary coal to "hard cases" dependent on the agreement of the NUM to make fuel supplies available to hospitals and other institutions meriting special treatment. It would also be helpful to establish whether it would be possible or desirable to vary or suspend the provisions of the Clean Air Act 1956 so as to allow wood and other fuels to be more widely used by domestic consumers in substitution for coal and coal products; and whether planning conditions preventing the movement of open cast coal from some sources by road could be removed or suspended. The Group had noted that an announcement by the NCB on the future of Polkemmet was expected soon. It was obviously important that the NCB should succeed in establishing publicly the causes of the present state of the pit. They would wish to make it clear that they had acted responsibly and in accordance with their statutory obligations throughout; and that responsibility for the damage should be laid at the door of the NUM and their decision to withdraw safety cover. The Group were seriously concerned at the slow rate at which offences arising from the dispute were being dealt with in the courts. She would urgently consider with the Ministers mainly concerned ways of accelerating proceedings, whether by the appointment of further stipendiary magistrates or otherwise. The Group would meet again on 4 September, following the discussion of the NUM motion at the TUC Congress on 3 September. It was important that the Government should avoid statements which could be seized upon on 3 September by those wishing to convert the miners' strike into a wider confrontation between trade unions and the Government. After 3 September, Ministers should take whatever steps appeared necessary to ensure that the factual basis of the dispute was clearly understood and reported accurately and in a balanced way.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy -
 - i. consulting the National Coal Board, to examine and report on possible ways of facilitating the supply of fuel for space heating on the basis indicated by the Prime Minister in her summing up;
 - ii. consulting the Secretary of State for the Environment, to examine and report on -
 - a. the practicability and desirability of suspending or varying the provisions of the Clean Air Act 1956 for the purposes indicated by the Prime Minister in her summing up; and
 - b. whether it would be possible to remove or suspend planning conditions limiting the movement by road of coal from certain open cast sources.

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that only 33 of the 78 ports in the Dock Labour Scheme were on strike and all non-scheme ports were working. This meant that some 55 per cent of seaborne trade (by weight) was still moving despite ~~50~~⁸⁰ per cent of the registered dock workers being on strike. During that morning dockers at Immingham and Grimsby had once again voted, by an overwhelming majority, to resume working. The result of the vote due to be taken at Tilbury was expected during the afternoon. Some confusion remained about the likely course of the strike. It was thought that both Dover and Felixstowe would continue to work normally. What little picketing had so far been seen had proved to be peaceful, light and, due to the strong tradition amongst dock workers of obeying the instructions of pickets, largely effective. It remained to be seen whether this continued to be the case at ports where dockers wished to continue working if flying pickets sought to prevent them. So far there had been very little for the police to do in relation to pickets at the docks.

It remained essential for Government spokesmen to concentrate their comments on the origins of the strike, the lack of any industrial issue affecting dockers, and the falsity of the Transport and General Workers Union Docks Officers' claim that scab labour had been used at Hunterston. They should continue to point out that dockers' (and steelworkers and other union's members') jobs would almost certainly be forfeited in support of striking miners, the vast majority of whom would still have jobs when the disputes were over.

THE SECRETARY OF STATE FOR EMPLOYMENT said that, whilst it was unfortunate that the port employers had in their public comments elevated the importance of the vote at Tilbury (which might well be in favour of strike action) and had referred at least once to the strike as an "industrial" dispute, thus giving unnecessary and unwarranted support to the union's case, much valuable publicity had been achieved through a number of media interviews with dockers who did not wish to strike. These dockers saw the motive of supporting Mr Scargill as "nothing to do with them" and had proved capable of explaining themselves clearly and convincingly. The Chairman of the

Advisory, Conciliation and Arbitration Service (ACAS) was keeping in touch with both sides to the dispute (as his statutory duty regarded him to do) but did not see much scope for action.

THE PRIME MINISTER, summing up a brief discussion, said that it was essential to keep the real causes and purposes of the dock strike clearly before the country, but that the dock strike must not be allowed to divert attention from the issues involved in the miners' strike. It might be useful to make available to the media, in due course, details of traffic diverted from strikebound UK ports to Continental ports. The necessary preparations should be put in hand to collect this information: the Group would then consider the matter further. It would also be helpful to examine the scope of the action which it would be open for the Government to take to mitigate the effects of the dispute on industry, relying on the Emergency Powers Act 1920 in its present form; and the possible need to bring forward an amending Bill if it became necessary for a State of Emergency to be declared.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Transport to arrange for the collection of information about diverted traffic on the basis indicated by the Prime Minister in her summing up.
3. Invited the Home Secretary, in consultation with the Attorney General, to examine and report on the powers available under the Emergency Powers Act 1920 on the basis indicated by the Prime Minister in her summing up.

Cabinet Office

30 August 1984

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MISC 101(84) 36th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 4 SEPTEMBER 1984 at 2.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade and
Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

Mr Michael Ancram MP
Parliamentary Under-Secretary of State
Scottish Office

THE FOLLOWING WERE ALSO PRESENT

The Rt Hon John Wakeham MP
Parliamentary Secretary, Treasury

Mr John Stradling Thomas MP
Minister of State, Welsh Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

CONTENTS

Item No	Subject	Page No
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	INDUSTRIAL ACTION IN THE DOCKS	6
3	REQUEST FOR THE RECALL OF PARLIAMENT	8

SECRET

SECRET

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally that day numbered 42, with a further 3 on holiday; those turning some coal numbered 7, with a further 2 on holiday; those with some men in numbered 14; and those not working numbered 106, including 1 which would normally be on holiday.

There were record attendances that day in Scotland at Bilston Glen and in the Midlands at Shirebrook and Warsop. Attendances elsewhere (including Kent) were similar to, or slightly higher than, those on the previous day.

On the assumption that planned levels of coal deliveries and oilburn were maintained, power station endurance now extended well into 1985. Movements of coal during the previous week had been remarkably good, considering that 2 days had been holidays. Deliveries in August had been maintained at the same level as in July, despite the peak colliery holiday period.

Any effect on the power stations and railways of the support given to the strike by the Trades Union Congress (TUC) was not yet clear. Morale among power station staff remained high, however, and the unions concerned had called a meeting later that week to agree their interpretation of the TUC statement. Deliveries of coal by rail to power stations, having declined from 190,000 tonnes at the end of July to a low point of 96,000 per week in August, had increased again to 134,000 tonnes per week.

The proposed renewed negotiations between the National Coal Board (NCB) and National Union of Mineworkers (NUM) had been called off that morning in confused circumstances. The true sequence of events had been that, after the agreement of both sides in principle to renewed talks, Mr Ned Smith of the NCB had spoken to Mr Heathfield the previous day to discuss an agenda. Mr Heathfield had been doubtful whether the NUM would agree to include the question of uneconomic pits on the agenda. Mr Smith and Mr Heathfield had agreed that talks which did not address it would not be worthwhile. Mr Heathfield had agreed to discuss the question further with NUM colleagues.

SECRET AND PERSONAL

before speaking again to Mr Smith. No further word had been received by the NCB before the NUM announcement at a press conference that morning that the NCB had cancelled the talks. The most likely explanation was that the NUM leadership, aware that they could not seriously discuss the question of uneconomic pits without breaking undertakings to their members, but also that talks which excluded the question would expose the unreasonableness of their position, had chosen to engineer the rupture. Mr MacGregor would be strongly advised, on his return to London that afternoon, to expose the falsity of the NUM account of events and to put them on the spot by a unilateral offer of talks at a specific time and place, resuming from the position at which negotiations had broken off in July. He himself felt strongly that this would be Mr MacGregor's best course of action.

THE SECRETARY OF STATE FOR TRANSPORT said that the impact, if any, of the previous day's events at the TUC on the transport of coal remained to be seen. There was some difference of view among the management of British Rail (BR) about current prospects for maintaining the recent increase in rail deliveries. He was looking into the availability from all sources of further lorries for the transport of coal by road: many were currently in use for the sugar beet harvest, which would continue until November.

THE HOME SECRETARY said that demonstrations at the TUC in Brighton the previous day had been smaller and more peaceful than had been feared. The police had dealt with them successfully. The response to Mr Scargill's call for picketing on the previous day at all NCB premises had been poor, with even a nominal attendance lacking in some places.

Further attempts had been made by the Lord Chancellor's Department and his own to accelerate the rate at which prosecutions arising from the dispute were being dealt with. One stipendiary had sat on the previous day at Chesterfield and one at Rotherham. Both authorities would decide soon whether to ask for additional stipendiaries. The county authority for Nottinghamshire was thought certain to ask for a stipendiary if defendants insisted on old-style committal proceedings. In addition, pressure at Rotherham, Mansfield, Worksop and Retford was being eased by the transfer of cases elsewhere. The City of Nottingham was making facilities for 11 additional courts per week to take cases from Mansfield, and other courts were arranging for additional sittings, including some in the evenings.

SECRET AND PERSONAL

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, SCOTTISH OFFICE said that the bulk of court cases arising from the dispute in Scotland, where there were no committal proceedings, would be heard during the next few weeks. Additional resources were being made available where necessary to enable the courts to deal with the load.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the British Steel Corporation (BSC) had maintained planned production at its steel works. They wished to begin coke movements from Orgreave again on the following day, and were in touch with the local police. Dockers at Immingham had now completed training in the use of front loaders, whose use by BSC employees to load lorries with iron ore had triggered the previous dock strike. The blacking in support of the miners' strike approved in principle the previous day at the TUC had extended to coal and substitute fuels, but not to ore: the Immingham dockers were reported to be willing, and even eager, to move ore supplies. An approach to the Corporation from the Secretary of the National Association of Port Employers (NAPE) suggesting the resumption of negotiations on quotas for deliveries of raw materials to Ravenscraig had been firmly rebuffed.

THE ATTORNEY GENERAL said that he had advised that day on the scope for lifting planning restrictions on the delivery of coal by road from open cast sites. It appeared that it would be open to the Secretary of State for the Environment to make a new ruling on such restrictions if an application were made to him, but that it would not be possible to avoid holding an Inquiry if an interested party required one.

In discussion, the following were the main points made -

- a. The statement agreed by the TUC on the previous day had included wording recognising that the practical implementation of the proposed support for the miners would require detailed discussion with the General Council and agreement with the unions directly concerned. This suggested that the effects of the statement might well be less than its

presentation had suggested. It was necessary, nevertheless, to be on the alert against the possibility that effective disruptive action might be taken, even by members of trades unions whose leaderships were not sympathetic to the strike.

b. The presence of Mr Scargill on picket lines had often coincided with violence. The unexpected peacefulness of the demonstrations at the TUC had shown clearly that, whether or not he might be responsible for instigating violence, it was within his power to prevent it when he chose.

c. The requirements of the Central Electricity Generating Board (CEGB) made it desirable, if possible, to identify ways of lifting planning restrictions on road deliveries from certain open cast sites without the risks of delay which would result from the holding of Public Inquiries.

THE PRIME MINISTER, summing up the discussion, said that it was necessary to wait and see what results flowed from the vote by the TUC in support of the strike. It was unfortunate that the TUC had not chosen to support those miners who continued to work, having voted to do so; but rather those who, by intimidation and mob action, sought to prevent them. The ability which Mr Scargill had demonstrated to prevent violence when he chose should not be allowed to pass unnoticed. The Government should continue to press for a ballot to be held and for strikers to observe the guidelines on picketing laid down both by the TUC and the NUM. It appeared that Mr Scargill might have made a tactical error in breaking off the proposed discussions with the NCB in a way which laid his good faith and truthfulness open to serious question. Any statements by Ministers on the controversy would need careful handling to avoid giving it a political flavour which might distract attention from the real issues. Ministers should take all appropriate steps, however, to ensure that the facts were reported in the media truthfully and accurately. No doubt the Chairman of the NCB would wish to consider an early initiative on the basis of the advice which would be put to him that afternoon. Meanwhile, the Secretary of State for Energy and other Ministers concerned should

SECRET

continue to take steps to enhance endurance of the strike. The Secretary of State for Transport should continue with his examination of the availability from all sources of additional road transport for coal, and report to the Group. The Attorney General, in consultation with the Secretaries of State for the Environment and Energy, should consider further whether it might be possible to lift restrictions on road deliveries from open cast sites in a way which would avoid the risk of delay identified in discussion.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
 2. Invited the Secretary of State for Transport to examine and report on the availability from all sources of additional road transport for coal.
 3. Invited the Attorney General, consulting the Secretaries of State for the Environment and Energy further to consider ways of lifting restrictions on road deliveries of coal from open cast sites on the basis described by the Prime Minister in her summing up.
- SECRET

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that the majority of ports continued to work. 80 men were reported to have gone back that morning at Hull, though some subsequent reports suggested that the port had closed again later in the day. A similar number had gone in at Tilbury and a few at other ports, including one at Southampton. Men at Grimsby, Immingham, Barry and, most recently Fleetwood, had voted to go back to work.

Some peaceful picketing on a small scale was reported at Hull, Felixstowe, London and Liverpool. So far it had been organised exclusively, or nearly so, by the Transport and General Workers Union (TGWU). Those wishing to go into work had not been physically prevented from doing so.

The amount of traffic diverted to Continental ports because of the strike was very small. In addition to three passenger liners, about five cargo vessels had been diverted so far: it remained possible that they might yet call at British ports later. The only major shift in traffic occurring because of the strike was between striking and open British ports. These effects might largely be permanent. The strike was causing particularly serious damage to Bristol and the other striking West Coast ports.

The Port of London Authority (PLA) had announced that their ports remained open and that they would continue to employ any docker who lost his membership of the TGWU for continuing to work. There was no legal or other reason preventing the Authority from giving such an undertaking. It was unfortunate that the attention of the media had been distracted from this important pledge by the ballot of dockers which the Authority was carrying out through the Electoral Reform Society, and which it had announced at the same time. The attention of management at other striking ports had been drawn to the PLA's assurances to working dockers and it was to be hoped that they would follow suit.

THE SECRETARY OF STATE FOR DEFENCE said that NATO reinforcement and training exercises involving the movement of men and vehicles through the ports had begun successfully. While there could be no question of negotiations with pickets, the aim was to maintain the present, low profile of the exercises.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, SCOTTISH OFFICE said that at Aberdeen, where essential supplies for the Orkney and Shetney Islands had been handled throughout the dispute, dockers had now voted limited dispensation to allow some of the islanders' livestock to be shipped to the mainland.

In discussion, it was suggested that the small numbers of dockers from other ports picketing at Felixstowe might be set to increase sharply; and that the National Union of Seamen might be preparing to black cargoes and vessels diverted from striking to open ports. Either or both of these developments, if they occurred, might lead quickly to legal action by employers against the unions concerned.

THE PRIME MINISTER, summing up the discussion, said that the Government and the employers were still waiting for the course of the strike to establish itself. For the present, there was little further that Ministers could usefully do or say, though it was to be hoped that the important and helpful assurances given by the PLA to dockers of continued employment in the event of loss of union membership would receive wider publicity and be echoed elsewhere.

The Group -

Took note.

3. REQUEST FOR THE RECALL OF PARLIAMENT

The Group discussed a letter dated 3 September to the Prime Minister from the Leader of the Opposition attaching a statement by the Parliamentary Committee of the Labour Party calling on her to seek the recall of Parliament.

THE PRIME MINISTER, summing up a brief discussion, said that the Group were agreed that she should not seek the recall of Parliament. She would reply to the Leader of the Opposition that evening in terms which the Group had discussed.

The Group -

Took note.

Cabinet Office

5 September 1984

SECRET AND PERSONAL

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MISC 101(84) 37th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
FRIDAY 7 SEPTEMBER 1984 at 12.00 Noon

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

Sir Patrick Mayhew QC MP
Solicitor General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

THE FOLLOWING WERE ALSO PRESENT

Mr John Stradling Thomas MP
Minister of State, Welsh Office

The Rt Hon John Wakeham MP
Parliamentary Secretary, Treasury

The Hon William Waldegrave MP
Parliamentary Under-Secretary of State
Department of the Environment

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Mr J F Stoker

i

SECRET AND PERSONAL

130

CONTENTS

Item No	Subject	Page
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY	1
2	INDUSTRIAL ACTION IN THE DOCKS	4

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally that day numbered 42, with a further 3 on holiday; those turning some coal numbered 7, with 2 on holiday; those with some men present numbered 17 and those not working numbered 103, of which 1 would normally be on holiday.

Attendances in all areas were higher than a week previously and continued to increase slowly. The increase in Scotland, where, for example, attendances at Bilston Glen had trebled over three weeks, was largely due to the performance of Mr Wheeler, the Director of the Scottish Area of the National Coal Board (NCB).

The recent improvement in coal movements was being maintained in spite of the vote at the Trades Union Congress (TUC) to support the miners' strike. 45 coal trains had run the previous day, the highest daily figure since May. He expected that more than 700,000 tonnes of coal would be delivered to consumers during the current week.

Mr MacGregor, the Chairman of the National Coal Board, had been in touch with him about the further talks between the Board and the National Union of Mineworkers (NUM) at 7.00 pm on 9 September, which now seemed sure to take place. Though Mr Scargill's tactics were not entirely predictable, his own view was that the talks would probably break down. If so, it was to be hoped that the NCB would learn the lesson of previous abortive talks and take steps to prevent the initiative on presentation in the media from passing immediately to the NUM. He understood that Mr MacGregor had agreed to be interviewed on television by Mr David Frost on the morning of 9 September, though he himself strongly hoped that Mr MacGregor would be reconsidering this now that talks with the NUM had been fixed for later in the day.

Earlier discussion of means of lifting planning conditions restricting the movement of coal by road had been overtaken by events at the Springhill opencast site, where stocks had begun to smoulder. The rail unions had been asked to handle the movements from the site which were necessary to make it

safe, but had refused. Staffordshire County Council had still not given their agreement to move coal from the site by road, but steps had been taken to do so at a rate of 25,000 tonnes per week. This was in accordance with emergency provisions laid down in the planning conditions attached to the site.

THE HOME SECRETARY said that it was too early to tell whether the large numbers involved in incidents over the previous two days at pits at Kellingley and Kiveton Park were an indication of a change of tactics by the NUM back to concentrated mass picketing. He intended in a speech on the following day both to make a further announcement on arrangements for financing the policing of the dispute and on the steps which had been taken to accelerate, by the appointment of stipendiary magistrates and by other means, the rate at which cases arising from the dispute were being heard by the courts. Since the speech by the Leader of the Opposition to the TUC on 4 September, 36 policemen had been injured. This underlined the fact that Mr Scargill had shown at the TUC that he was able to prevent violence if he chose; and that ritual condemnations of violence by the Opposition were not enough to produce any satisfactory effect. He did not propose to make these points in his speech the following day, as he would have done had talks between the NCB and NUM not been in prospect for the following day; but would do so, if appropriate, in a further speech on 11 September.

THE SECRETARY OF STATE FOR TRANSPORT said that discussions continued between the British Rail (BR) Board and the rail unions on the issues over which industrial action had been threatened for the following week. Reports that significant concessions had been made to the unions were incorrect. He thought it improbable, however, that the work-to-rule threatened from 10 September would now be imposed either on the railways or by the staff of London Regional Transport (LRT), though it was still likely that LRT staff would strike for the day on 12 September.

Despite events at the TUC, movements of coal had improved during the week, with slightly higher numbers of railwaymen prepared to cross picket lines and run coal trains.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the British Steel Corporation (BSC) continued to maintain planned production. Dockers at Immingham had voted to load ore for Scunthorpe into lorries in spite of pressure from the Transport and General Workers' Union (TGWU) not to do so. Coke had been moved by lorry from Orgreave the previous day: no pickets had been present. That day, one coal ship was completing its unloading at Hunterston and another was expected to dock at Port Talbot. At Teeside, where a further coal ship was unloading, it was likely that dockers would vote that day to join the strike: this would cause no immediate difficulty at the steelworks, where stocks were high.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF THE ENVIRONMENT said that it would be both possible and preceded to suspend the operation of the Clean Air Act 1956, if desired, in order to allow the burning of fuels other than smokeless fuels or fuels capable of being burnt smokelessly.

In discussion, it was suggested that it would be consistent with the earlier tactics of the NUM leadership to try to spin out talks with the NCB in the hope that the strike might become more general both within and beyond the coal industry in the wake of the vote in its support at the TUC Annual Congress. It was essential to watch developments following the TUC vote closely.

THE PRIME MINISTER, summing up the discussion, said that Ministers should do or say nothing to prejudice the limited prospects for progress in talks between the NCB and NUM on 9 September. No doubt the Chairman of the NCB would be giving careful consideration in advance to the best means of handling a breakdown should it occur; and ensuring that he had access to the best available advice and administrative support during the talks. The Group would meet to review developments on 10 September. For the longer-term, union response to the TUC vote in support of the striking miners should continue to be carefully watched.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that 70 men were working at Tilbury that day. 120, a surprisingly large number, were also working at Bristol. At Teesside, however, it was likely that dockers would vote in the course of the day to join the strike. Picketing had, for the most part, been fairly light. The police had been warned, however, that pickets from Southampton might soon return in increased numbers to Felixstowe.

The result of the management's ballot of dockers at Tilbury was expected later in the day. It was expected that a majority of those voting would vote to return. The Transport and General Workers' Union (TGWU), however, had advised its members not to take part, and would no doubt claim abstentions as votes in favour of the strike. When the result was announced, the Port of London Authority (PLA) would repeat the assurances of continued employment which it had given to working dockers. Buses would be provided for those wanting to go back to work on 10 September. The PLA were in touch with the police, who were taking precautions against intimidation. Port employers elsewhere in the country were watching events at Tilbury closely.

The National Dock Labour Board had, on the previous day, postponed for a week its ruling on whether recent unloading of fish at Grimsby had breached the National Dock Labour Scheme. This was an important setback for the attempts of the TGWU to establish some legitimate grounds for the strike. A message from the Secretary of the Docks Group of the TGWU to its members had included a reference to issues in the strike arising

"in carrying out the Union's policy of support for the miners in their current dispute."

It was important that strikers and the public should be reminded on appropriate occasions that this, rather than any industrial issue, was the true motive of the strike.

In summary, rather less than half of the ports were working in terms of manpower, but rather more than half in terms of tonnage. The TGWU were pressing for renewed talks with the British Steel Corporation (BSC) to agree quotas for deliveries of coal and ore to Ravenscraig. Some port employers were reported also to favour such negotiations as a means of solving a dispute to which they did not consider themselves a party. He proposed to meet the port employers shortly.

In discussion the following were the main points made.

- a. The recent vote by dockers at Fleetwood overturning an earlier decision to return to work was reported to have been taken after 200 strikers from Liverpool had visited the docks and surrounding areas. The police should be on the alert for intimidation of dockers wishing to work: it was to be hoped that attempts at intimidation would receive a firm response from working dockers themselves.
- b. In the docks, as in the steel and electricity generation industries, there were signs of increased pressures, following the vote earlier that week in the TUC, to take action in order to support the striking miners. It would be necessary to watch developments carefully.

THE PRIME MINISTER, summing up the discussion, said that the police should make every effort to safeguard against intimidation of working dockers and to ensure that any docker who wished to go into his place of work was able to do so. The Group took note that the Secretary of State for Transport had it in mind to meet the port employers shortly: he should handle the timing and conduct of any such meeting carefully, having regard to possible repercussions on the coal and docks disputes; and in particular on any negotiations in progress at the time between the NCB and NUM.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

7 September 1984

SECRET AND PERSONAL

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MISC 101(84) 38th Meeting

COPY NO 18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 10 SEPTEMBER 1984 at 5.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Sir Patrick Mayhew QC MP
Solicitor General

The Rt Hon Paul Channon MP
Minister of State, Department of
Trade and Industry
(Minister for Trade)

Lord Trefgarne
Parliamentary Under-Secretary of
State for the Armed Forces
Ministry of Defence

Mr Allan Stewart MP
Parliamentary Under-Secretary of
State, Scottish Office

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

CONTENTS

Subject

Page No

Item No

1

2

INDUSTRIAL ACTION IN THE COAL INDUSTRY

INDUSTRIAL ACTION IN THE DOCKS

1

3

SECRET AND PERSONAL

134

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that holidays for those pits working normally or turning some coal were now finished and attendances that day had shown an improvement on the previous week - particularly in Scotland. Last week more than 700,000 tonnes of coal had been moved from pits, 550,000 tonnes to the Central Electricity Generating Board, and prospects for a continuation of this high level of coal movement for the current week were good. Lorries had begun to move coal from Springhill opencast mine and would possibly begin to move coal later in the week from another opencast pit experiencing overheating problems amongst coal stocks. He would look again at the situation regarding coal faces and pits threatened with closure through lack of maintenance and report back.

There were as yet no indications of progress being likely in the current round of talks between the National Coal Board (NCB) and National Union of Mineworkers (NUM). In the event of the talks breaking down the NCB might decide to publicise the full set of current proposals and challenge Mr Scargill to ballot his members on whether to accept them. In these circumstances it would be necessary to consider the best ways of providing Ministerial support for the NCB and marshalling media backing for a ballot.

THE SECRETARY OF STATE FOR TRANSPORT said that British Rail had run 43 coal trains on the previous Friday and hopes were high that this improved level of deliveries could be maintained or bettered - especially as the railway unions had called off their proposed nationwide work to rule, and the one day strike in the London area that had been planned for 12 September. Contrary to some press reports the British Rail Board had made no concessions of any substance to the rail unions.

THE MINISTER OF STATE, DEPARTMENT OF TRADE AND INDUSTRY said that the British Steel Corporation were maintaining planned steel production and supplies of coal, coke and iron ore were still being delivered at satisfactory levels.

THE PRIME MINISTER, summing up a brief discussion, said that if the current NCB/NUM talks broke down and consequent pressures failed to persuade Mr Scargill to hold a ballot of his members it might be necessary to reconsider the possibility of an NCB sponsored ballot - although the outcome of a recent Scottish newspaper opinion poll in respect of Bilston Glen did not give unqualified confidence that an NCB organised ballot would prove helpful. There was a risk of intimidation during a ballot unless it was properly organised, took place at the collieries and was guaranteed to be secret. The NCB's tactics would need to be reviewed once the outcome of the talks were clear. Account would need to be taken of the possible effect of local pressures on miners, from other industries dependent on the mining sector for their own livelihood. Meanwhile Ministers and Government spokesmen should continue to maintain a low profile whilst talks were in progress.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Energy to report back on the results of his re-examination of coal faces and pits faced with closure through lack of maintenance during the strike.

SECRET AND PERSONAL

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received an oral report.

THE SECRETARY OF STATE FOR TRANSPORT said that the situation in the docks was at present confused, with officials of the Transport and General Workers Union (TGWU) making great efforts to spread the strike whilst employers were trying to get dockers at strikebound ports back to work. The outcome of the Port of London Authority (PLA) ballot of dockers at Tilbury showed a clear majority in favour of a return to work, but a substantial, albeit peaceful, picket had that day deterred all but 75 of the morning shift and 139 of the afternoon shift from reporting for work; normally some 700 would have been at work. At Bristol about 300 men - of whom 117 were believed to be registered dock workers (rdws), had reported for work following last week's vote at an unofficial meeting. Dockers at Teesdock and Barry had rejoined the strike and three senior Trade Union Officials (Messrs Todd and Connolly (TGWU) and Knapp (National Union of Railwaymen)) were scheduled to meet dockers at Grimsby and Immingham the following day to persuade them to join the strike. The PLA were thought to be anxious to see whether greater numbers reported for work at Tilbury in the next day or so before considering any further action to encourage a bigger return to work. It seemed doubtful whether other port employers could use an employer-organised ballot with a reasonable prospect of a successful outcome. Some of them were facing mounting financial problems and were thought to be considering placing rdws for whom, due to the strike, there was no work, on the temporary unattached register. As this would be a clear contravention of the Jones/Aldington agreement such action would provide a credible basis for an all out dock strike call, which would almost certainly be obeyed, and was therefore to be strongly discouraged. There must also be increasing prospects of some employers seeking injunctions under the 1980 and 1982 Employment Acts. It would be preferable for smaller employers, who were likely to be hardest hit financially, to take the lead in such action, once it was clear that they had a sound case.

So far picketing in connection with the dock strike had been peaceful and largely successful, as many rdws had an instinctive and traditional reluctance to cross picket lines despite the expressed wish of many of them to return to work. It would appear that intimidatory tactics being used on dockers were more subtle than those used against working miners.

The following points were raised in discussion -

- a. The new employment legislation, with its provisions making immunity for strike action dependant on the holding of a ballot, would take effect on 24 September. It would be useful to have clarification as to how far the new legislation might be relevant to the current coal and docks disputes; and, in particular whether immunity for strike action at an individual port which began after 24 September would depend on the holding of a ballot at that port.
- b. Military movements in relation to Exercises LIONHEART and BOLD GANNET were planned through the strikebound port of Southampton on 12 September. No trouble was anticipated but there were contingency plans ready to divert to other ports should the need arise.

THE PRIME MINISTER, summing up the discussion, said that there was a need to clear up the uncertainty about the impact of the new strike ballot legislation without delay. The Group would also need to return soon to consideration of the likely efficacy of the current Emergency Powers Legislation, should a prolonged partial or total dock strike result in a need to use it. Port employers should be actively discouraged from moves likely to breach the Jones/Aldington agreement. There was no alternative at present for Ministers and Government spokesmen to maintaining a low profile in relation to the dock strike, but preparations should be made to resume a campaign to highlight the absence of a genuine "docks" reason for the strike when the moment was ripe. There was however no reason to avoid comment on law and order problems when reasonable opportunities arose.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Solicitor General, in consultation with the Secretary of State for Employment to examine the impact of the legislation concerning strike ballots, due to come into operation on 24 September, with a view to clarifying the points brought up during the Group's discussion.
3. Invited the Home Secretary to report, at an early date, on those aspects of current Emergency Powers Legislation mentioned by the Prime Minister in her summing up.

Cabinet Office

11 September 1984

SECRET AND PERSONAL

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MISC 101(84) 39th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 12 SEPTEMBER 1984 at 5.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

Sir Patrick Mayhew QC MP
Solicitor General

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Lord Trefgarne
Parliamentary Under-Secretary of State
for the Armed Forces

The Rt Hon Lord Gray of Contin
Minister of State
Scottish Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd

CONTENTS

Item No	Subject
1	INDUSTRIAL ACTION IN THE COAL INDUSTRY
2	INDUSTRIAL ACTION IN THE DOCKS

Page

1

4

SECRET AND PERSONAL

140

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that attendances at pits continued to improve. That day 45 pits were working normally, 9 were turning some coal - one of these should soon qualify for inclusion in the working normally category, 15 pits had men present and coal was likely to be turned in two of these shortly, and 103 pits remain strikebound. In the current week coal movement had so far been better than for the same period of the previous week. Movement of coal by road from Springhill Colliery to relieve overheating problems, was proceeding smoothly. In the previous week total coal stocks at Central Electricity Generating Board power stations had increased by some 13,000 tonnes.

The talks between the National Coal Board (NCB) and the National Union of Mineworkers (NUM) were continuing but the outlook remained unclear. Should the NUM table any proposals including a suggestion, made by Mr Orme, that disagreements over pit closures should be referred for decision to a panel consisting of two mining engineers and a lawyer, it might prove difficult, in publicity terms, to make a simple and convincing case for NCB rejection. Adoption of such a scheme would in effect remove management responsibility from the NCB whenever the NUM chose to contest a pit closure proposal, a situation which would be totally unacceptable. If the talks were to break down the NCB would probably decide to publish the full details of their current offers on the future of the industry, invite Mr Scargill to agree that the offer be put to a ballot of all his members and propose that NCB members should meet Trades Union Congress (TUC) General Council representatives to explain their offer in detail. There were some indications that NUM proposals made during the current talks showed a willingness to adopt a form of words acknowledging that economic factors had been taken into account in deciding on pit closures since the Plan for Coal was first adopted in 1974, but so far no acceptable form of words had been put forward by the NUM. It was possible that Mr Scargill would agree to a ballot on the NCB offer, which he would recommend for rejection as a face-saving move should the ballot go against him.

An uncertain situation had arisen in respect of the National Association of Colliery Overmen Deputies and Shotfirers (NACODS) some of whose members had been threatened with loss of pay if they failed to attend for work at those pits where only one or two NUM members had reported for work, even where this involved facing intimidatory picketing. Early in the dispute NACODS had voted 54 per cent - 46 per cent in favour of strike action - but had not taken action because their rules required a two-thirds majority before a strike could be called. He understood that, following a meeting that day, NACODS members were to be balloted again, but it was not yet clear what questions would be put on the ballot paper. The dangers of the new ballot resulting in a sufficient majority for a NACODS strike which might affect pits currently working were self evident and care would be needed to avoid action or comment that might encourage NACODS members to vote for strike action.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the British Steel Corporation (BSC) were maintaining planned production but following the resolution in support of the NUM, passed at the recent TUC, there would be a meeting of the TUC Steel Committee on 14 September which could result in a ballot, possibly in about three weeks time, of all union members in the steel industry. BSC had indicated to Mr Sirs that any voluntary reduction of steel production would be unacceptable and it was thought likely that he would recommend members of the Iron and Steel Trades Confederation to vote against any action in support of the NUM.

During discussion the following were the main points made -

- a. The NUM were thought likely to pursue their argument that the NCB's wish to reduce coal production had already been met by production lost during the strike and there was therefore no case for pit closures. This ignored the distinction between production and capacity. The important point missing from the NUM's argument was that under the NCB's proposals the desired reduction in output would be achieved by closing those pits whose production costs contributed most to current NCB financial losses, rather than by the method apparently favoured by the NUM of having a strike every year. Additionally the continuing existence and cost of high coal stocks at pitheads was a clear indication of the need to reduce output.

b. It might be worth making more, in publicity terms, of the inconsistencies over the years in the NUM attitudes towards acceptance of economic factors in deciding on pit closures and especially the change since Mr Scargill became President. It was significant that the 1977 Coal Industry Act made statutory provision for redundancy payments to those affected by the closure of uneconomic pits.

c. There were differing views about the relative advantages of any agreement that might be reached between the NCB and NUM being drafted in precise or imprecise terms. The most important requirement would be an agreement that would not in any way fetter the NCB in arranging for the closure, as and when necessary, of uneconomic pits.

THE PRIME MINISTER summing up the discussion, said that it would not be possible to decide the best course of action until after the NCB/NUM talks had broken down, or the terms of an agreement were known. Although Ministers should in general continue to maintain a low profile, consideration should be given to the options open to the NCB and Government in the light of the possible developments in the talks identified during discussion.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that there had been some encouraging developments, chief amongst which was the refusal of dockers at Grimsby and Immingham the previous evening to succumb to a high level union attempt by Messrs Todd, Connolly and Knapp to bring them out on strike. The vast majority had reported for work that day despite picketing which included a high proportion of dockers from Liverpool. That day also dockers at Goole had voted 3-1 to return to work and 75 per cent of them had already done so; attendances at Tilbury and Thames Riverside Wharves were about the same as the previous day, but two container ships had been discharged at Tilbury; attendances at Bristol were better than the previous day and had permitted 3 ships to be worked. At the beginning of the strike 80 per cent of registered dock workers (rdws) had been on strike - the current figure was 57 per cent. On the other hand Cardiff dockers had voted to stay on strike.

He understood that the Port of London Authority (PLA) had received legal advice that they would have a very strong case should they decide to seek an injunction under current employment legislation and that the PLA Board would consider this course of action at a meeting on 17 September.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the main supply difficulty being experienced by industry in general centred on imported timber held up in Liverpool docks. Overall some 65 per cent of import/export cargoes were reported to be moving without difficulty. However a number of organisations were beginning to experience severe financial problems which could provide grounds for legal action against the Transport and General Workers Union (TGWU). P&O would shortly be considering the despatch of a letter to their TGWU shop stewards warning them of the possibility of legal action and giving them a chance to persuade their members to resume working. It was thought such a letter would be helpful in providing a more easily understandable public justification for such legal action as might prove necessary. The difficulties being faced by Overseas Containers Limited (OCL) stemmed in part from a growing number of their containers being stranded on the continent.

He believed that a very good full page advertisement placed by BSC in local newspapers might well have influenced many Grimsby and Immingham dockers to stay at work. It was also noteworthy that TGWU Tugboat men, normally based at Swansea docks which were strikebound, had stayed away from their base so that they would remain available to assist the berthing of vessels at Port Talbot - the port of entry for supplies for both Port Talbot and Llanwern steelworks.

He understood that the Confederation of British Industries (CBI) had commissioned a survey of the effects of the dock strike on their members. He expected to receive a copy of the results early the following week and would then advise colleagues whether a CBI press conference, which was provisionally planned for the middle of next week, would be likely to prove helpful in maintaining or improving the current level of activity in the docks.

THE SECRETARY OF STATE FOR ENERGY said that Shell (UK) had drawn his attention to the possible effect on dockers on Teeside and perhaps elsewhere when plans for the closure of their Teeside oil refinery were announced. It was not expected that the closure would provoke industrial action in other refineries. He understood that if a closure announcement was not made within the next ten days it would be necessary to run the refinery at a continuing loss for a further six months. He would keep in close contact with Shell (UK) on the subject.

During discussion the following points were made.

- a. There had been no problems ^{over loading} ~~overloading~~ military equipment at Southampton on to ships which were due to sail the following day for Exercise ^{LIONHEART} ~~LIONHEART~~ and BOLD GANNET. The media had sought facilities to question Territorial Army personnel, who were striking miners, about their attitudes towards crossing picket lines at embarkation ports en route to the exercises. There could be no question of permitting such interviews once individuals had reported for duty and were subject to normal military discipline but it would be undesirable for any personnel who might be questioned by the media before that time to be wearing military uniform during such interviews as they would be speaking as private individuals.

b. Dockers at Aberdeen were still withholding full cooperation over the transport to the mainland of livestock from the Orkneys and Shetlands.

In agreeing to handle two P&O specialist vessels they had withdrawn their previous agreement to handle cattle transported by RO-RO ferries, with the result that insufficient shipping capacity would be available to carry out the task within the required time. P&O had contingency plans ready for the following week which would involve the use of the port at Wick and a long and uncomfortable overland journey for the livestock. It was thought that the Royal Society for the Prevention of Cruelty to Animals might be able to exert helpful pressure on Aberdeen dockers leaders to remove this threat to animal welfare.

THE PRIME MINISTER, summing up the discussion, said that Ministers would need to consider early the following week what effect the proposed CBI news conference and any proposed legal action might have on the progress of the dock strike. Meanwhile there was no requirement for Ministers to seek opportunities to comment publicly on the dock dispute.

The Group -

1. Took note with approval of the Prime Minister's summing up of their discussion.
2. Invited the Secretary of State for Trade and Industry to keep in touch with the Confederation of British Industries, over their intentions regarding a press conference to publicise the effects of the dock strike on their members, and with other organisations who may be considering legal action against the Transport and General Workers Union or other unions, with a view to reporting back to the Group early the following week.

Cabinet Office

13 September 1984

SECRET AND PERSONAL

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MISC 101(84) 40th Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 17 SEPTEMBER 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

Sir Patrick Mayhew QC MP
Solicitor General

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

CONTENTS

Subject

Item No

1

INDUSTRIAL ACTION IN THE COAL INDUSTRY

2

INDUSTRIAL ACTION IN THE DOCKS

Page

1

4

SECRET AND PERSONAL

145

1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that attendances in the coalfields were slightly up on the previous week but three working pits in Warwickshire were starting a week's holiday. Coal production the previous week had been good and coal movements at 830,000 tonnes, of which 600,000 tonnes went to power stations, were the best since the strike began. 209 coal trains had run the previous week but he was not, for obvious reasons, anxious to draw public attention to these achievements.

The talks between the National Coal Board (NCB) and National Union of Mineworkers (NUM) had been adjourned the previous Friday without agreement. Mr MacGregor had given a clear explanation of the issues involved at his press conference immediately after the talks. Since then there had been considerable comment in the media about the possible involvement of a third party. It should be made clear that the closure of uneconomic pits could not be a matter for arbitration by an outside party. The NCB's fundamental case was that this was a matter for managerial decision following proper consultation with all the parties concerned.

There had been a meeting earlier that day of representatives of unions in the electricity supply industry to discuss action they might take in pursuance of the recent Trades Union Congress (TUC) resolution to make the miners' strike more effective. After three hours of discussion the only outcome was an agreement to attend a further meeting with NUM representatives.

Mr MacGregor had that day held a meeting of all NCB area managers to discuss action designed to influence the forthcoming ballot by members of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) away from strike action. He understood that a meeting between the NCB Industrial Relations Director (Mr Smith) and NACODS officials had reached an agreement over procedures to be followed in deciding whether it was necessary for NACODS members to attend pits where only a few miners had reported for work, but that the agreement had been repudiated by the President of NACODS.

on his return from holiday. The latter was reported to be saying that the NCB were refusing to talk to NACODS officials. This was not the case and it was possible that the NCB would need to extend a public invitation for NACODS officials to attend discussions in order to set the record straight.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that the survey carried out by the Confederation of British Industries, to which he had referred at the previous meeting, had revealed that the coal strike was damaging not only the mining industry itself and those whose livelihood depended on their commitments to supply the NCB, but also traders in the mining communities. A reduction in turnover was particularly noticeable in branches of chain grocery stores located in mining areas which were on strike. Sellers of consumer durables were disinclined to repossess goods on which payments were in arrears because they anticipated great difficulty in disposing of such goods elsewhere.

Steel production from the British Steel Corporation's five major steelworks had reached 229,000 tonnes the previous week - better than the 226,000 tonnes weekly average for the first quarter of the current year.

During discussion the following were the main points made -

a. The Advisory, Conciliation and Arbitration Service (ACAS) had kept in touch with both the NCB and NUM throughout the dispute. Mr Lowry had explained publicly, as long ago as May, that it would not be possible for ACAS to become involved unless there was a willing commitment by both sides and ACAS itself judged that participation would be helpful. In view of press speculations that ACAS might be the "third party" referred to by Mr Scargill during the previous weekend it was for consideration whether Mr Lowry or some other senior ACAS official should explain again that the conditions for ACAS involvement were not yet fulfilled.

b. It was to be hoped that the NCB would soon have the opportunity to brief senior TUC officials on their recent negotiation with the NUM so that there would be no doubt as to the terms of the NCB's current offer, the reasons for them and the need for the members of

the NUM to be given an opportunity to ballot on the offer. The fact that the NCB had briefed the TUC should also prove helpful to those unions in the electricity supply industry who were disinclined to take action in support of Mr Scargill.

c. Any request from the TUC to see Government Ministers - or even the Prime Minister - would need to be granted, but it would have to be made clear that this involved no departure from the Government's policy of not intervening in the dispute.

d. The best way to gain better public understanding of the issue of the closure of uneconomic pits was to draw attention to the current level of public subsidy for the mining industry.

THE PRIME MINISTER, summing up the discussion, said that the NCB should be encouraged in their initiative in seeking to brief the TUC about the recent negotiations and their current offer. It was to be hoped that the TUC would apply some pressure on the NUM to achieve a ballot of NUM members that could be conducted secretly and without risk of intimidation. It was also to be hoped that the NCB would maintain their efforts to ensure a favourable outcome of the forthcoming ballot of NACODS members.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that there had been two meetings during the previous few days in connection with the dispute at Hunterston, which had precipitated the current national dock strike. Officials of the British Steel Corporation (BSC) had been present, but not involved, in the first meeting, following which the Opposition Transport Spokesman (Mr Prescott) had announced that an agreement had been reached between local officials of the Transport and General Workers Union (TGWU) and the Iron and Steel Trades Confederation (ISTC) as to the amounts of coal which they would allow to be transported to BSC Ravenscraig (to start at 18,000 tonnes and increase over 8 weeks to 22,500 tonnes per week). BSC management, at both local and national level, had always maintained that the levels of coal delivery to steel works should be decided only by BSC.

At the second meeting involving BSC, TGWU and the Clyde Port Authority, it was accepted that the agreement reached on 16 May this year should once again be implemented, and it was expected that the TGWU would now seek to call off the national dock strike because the original cause had been removed. A series of meetings were planned for the following day - culminating in a recalled TGWU National Docks Delegate Conference which had the power to end the strike.

Attendance at the docks that day had been in some places slightly worse than attendances the previous week but at one scheme port in North Wales and two (possibly three) in Scotland, dockers had resumed work in anticipation of an early end to the strike.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that, so far as the dock strike was concerned, the Confederation of British Industry (CBI) survey had indicated that the effects of the strike were being largely circumvented, but at a financial cost to many CBI members. There had been few problems over the distribution of raw materials, components and finished products. Overall the morale of industry remained good but there were concerns about maintaining credibility overseas over meeting delivery dates, if the dispute continued.

SECRET AND PERSONAL

He understood it was likely that a number of lawsuits, against the TGWU and port employers, to recover financial losses arising from breaches of contracts, might be instituted soon even if the strike was called off the following day. It seems likely that the initial action would be a letter couched in terms that would give the unions and port employers an opportunity to settle before formal proceedings were instituted.

THE PRIME MINISTER, summing up a brief discussion, said that the Government should not be seen to be encouraging or discouraging those who might seek to take legal action. It seemed unlikely that such action would provoke further strike action in the docks, once the current strike had been called off. The Group would review the position following the meeting of the National Docks Delegate Conference.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

18 September 1984

SECRET AND PERSONAL

SECRET AND PERSONAL

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MISC 101(84) 41st Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 25 SEPTEMBER 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Norman Tebbit MP
Secretary of State for
Trade and Industry

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Mackay MP
Parliamentary Under-Secretary
of State, Scottish Office

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon David Young
Minister without Portfolio

Lord Trefgarne
Parliamentary Under-Secretary of
State for the Armed Forces
Ministry of Defence

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 44 pits were working normally that day with one on holiday, 9 were turning some coal, 20 (3 more than the previous week) had some men in and 100 remained on strike. Attendances at pits continued to improve slowly, that day's attendance of 178 at Bilston Glen was 4 better than the previous highest attendance. The previous week's coal movements of 848,000 tonnes (of which over 600,000 tonnes had been delivered to power stations) was the best weekly achievement since March. 207 coal trains had been run and there was, as yet, no evidence of the action promised by the Transport unions to make the strike more effective.

Problems were likely to arise in the next few weeks in three areas: there would be some shortfall in supply of coal for industrial space heating; supplies of coal to schools, particularly in Yorkshire and South Wales, would be difficult unless the National Union of Mineworkers (NUM) agreed to release some pithead stocks; and complaints were likely to arise over the high price of imported coal for domestic use. All these were matters for which responsibility for any problems that actually arose could be laid in public comment, clearly on Mr Scargill. It seemed likely that the ballot currently being conducted amongst members of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) would result in the necessary 66 per cent majority for strike action. In this event the negotiations due to start the following day between the National Coal Board (NCB) and NACODS would be very delicate and could be spread over several days. Despite the declared attitudes of some NACODS officials in favour of strike action it was thought possible that a majority of the union's executive would wish to avoid calling a strike if a reasonable agreement could be reached with the NCB about the circumstances in which NACODS members might be paid even if they declined to cross NUM picket lines. It would be inadvisable for Ministers to volunteer comments whilst the negotiations were in progress. If comment was unavoidable it would be best to say that the NCB had always been willing to negotiate with NACODS and it was to be hoped that the current negotiations would succeed in resolving outstanding difficulties.

Should NACODS call a strike the NCB would have a number of options available to keep in action those pits that were currently working. Some NACODS members might be willing to continue at work. The main difficulty could be to persuade suitably qualified working members of the NUM and members of the British Association of Colliery Management (BACM) to undertake safety work normally done by members of NACODS, without bringing out the working NACODS members or worsening the NUM strike.

He understood that the atmosphere at the previous evening's talks between the NCB and senior members of the Trades Union Congress (TUC) had been friendly and businesslike. The TUC appeared anxious to get NCB/NUM negotiations restarted but had no fresh ideas as to how this could be achieved. Although there was a feeling that the Advisory Conciliation and Arbitration Service (ACAS) might be able to assist, there had been agreement that a solution could be reached only in direct negotiations between the NCB and NUM.

THE HOME SECRETARY said that he had recently sent details of cases in which miners charged with offences on picket lines and elsewhere had been committed for trial to the Crown Courts to the Lord Chancellor, who would see what could be done to expedite trials. He had met the South Yorkshire Police Authority earlier in the day and had made it clear to them that proposals to phase out all horses and some dogs from the South Yorkshire force would result in a failure to carry out their statutory responsibility to maintain an efficient police force. He thought it likely that the proposals would not be pursued. He had also discussed the recent escalation of violence at Maltby with the Chief Constable of South Yorkshire and HM Chief Inspector of Constabulary. He had been assured that at present no additional resources were required by the South Yorkshire Police. Although it would be safe to presume that the mass picket at Maltby had been deliberately organised there was no evidence that would support criminal charges against individual organisers. It might be better to see whether civil proceedings, in connection with secondary picketing, could be brought against the NUM.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that none of the British Steel Corporation's major plants were facing problems over supplies of coal, coke or iron ore. Despite the union's decision to restrict coal supplies to Ravenscraig from Hunterston to 18,000 tonnes per week, 49,000 tonnes of coal had been moved by road the previous week.

During discussion the following were the main points made -

a. It was disappointing that the case brought in the Scottish Courts the previous day, to get the NUM strike declared illegal, had not succeeded but it appeared that the Court would be prepared to hear a second application at a later date. The case in progress in the High Court in London, involving two Yorkshire miners challenging the legality of the strike in relation to the NUM's own rules was not expected to end before Thursday of the current week. It remained to be seen whether Part 2 of the Trade Union Act 1984 - which became effective the following day, would make it easier than it had so far proved to be, to pursue legal action against unions.

b. Any strike called by NACODS in the event of their ballot producing the necessary 66 per cent majority would not forfeit immunity. In view of the delicate nature of NACODS/NCB negotiations it would be preferable for those negotiations to be completed before any action under the new legislation was instituted. It was thought likely that every new act of picketing which took place on or after 26 September could lay the responsible union open to action under the 1984 Act.

c. There would seem to be very little scope for ACAS to assist in finding a solution to the strike until Mr Scargill abandoned his stand against a closure of pits on economic grounds. Care would be needed to guard against raising public expectations of an ACAS success. The NCB would need to maintain its position of retaining the ultimate responsibility for deciding on pit closures rather than allowing this to pass to a third party.

d. It seemed that in some quarters, both inside and outside the coal industry, there was scepticism about the adequacy of both the consultation procedures prior to a decision to close a pit and the appeal procedure that might follow such a decision. Much of this might stem from ignorance of the procedures which had been used since 1973 and which the NCB were proposing should continue to be used. In order to dispel any doubts Ministers should, where appropriate, make use in their public statements of material in the NCB press statement on colliery closure procedures, issued on 1 August following the Parliamentary debate on 31 July [copy circulated on 25 September under cover of MISC 101(84) 3].

THE PRIME MINISTER, summing up the discussion, said that any action or comment likely to prejudice the success of the NCB/NACODS negotiations must be avoided. The Group would review the position again at its meeting on 27 September.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

26 September 1984

SECRET AND PERSONAL

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MISC 101(84) 42nd Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
THURSDAY 27 SEPTEMBER 1984 at 10.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Sir Michael Havers QC MP
Attorney-General

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL DISPUTE IN THE COAL INDUSTRY

SECRET AND PERSONAL

152

SECRET AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL DISPUTE IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that with only one pit now on holiday there were 44 working normally. The number of pits at which some men were present had increased by five and for the first time since the beginning of the dispute there were now less than 100 pits on strike. Attendance in the North Derbyshire coalfield was 10 per cent greater than at the same time last week and a new record attendance had once again been achieved at Bilston Glen. It was expected that coal production and movement in the current week would be better than the previous week, which had been the fourth consecutive week in which a net rise in power station coal stocks had been achieved. It was noteworthy that rail borne deliveries had improved since the recent Trades Union Congress (TUC) in Brighton. Over the next couple of months there could be conflicting demands for lorries as the domestic sugar beet harvest was gathered in, but the National Coal Board (NCB) had entered into contracts with haulage firms to safeguard road movement of coal.

The previous day's talks between the NCB and delegates of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) had been reported to have been conducted in a good atmosphere. He understood that the NCB had indicated a readiness to revert to the pre-15 August procedures concerning NACODS members crossing National Union of Mineworkers (NUM) picket lines and to make the requisite payments to NACODS members adversely affected by picketing. The NCB had not agreed to a NACODS request to withdraw their 6 March proposals on pit closures, but had said they were prepared to discuss the matter with NACODS as they had been, and were, prepared to discuss the subject with the NUM. The result of the NACODS ballot was due to be announced the following day and the NACODS Executive were also due to meet in order to discuss the NCB proposals. It was expected that a further NCB/NACODS meeting would be held during the following week but it was not yet clear whether NACODS members would be called out on strike if the ballot produced, as expected, the necessary 66 per cent majority. The NCB hoped that their offer at the previous day's meeting would be sufficient to avert immediate strike action.

SECRET AND PERSONAL

At a meeting, also the previous day, of representatives of Transport and General Workers Union (TGWU) members in the open cast mining industry it had been agreed that movement of coal from stocks at open cast sites would be blocked. This was in reality no change to the current situation; the weekly movement of some 150,000 tonnes from open cast sites was from newly produced coal and a similar tonnage had gone into stock each week of the current month. It was thought possible that the TGWU might ballot their members on any further action in support of the open cast workers claim for improved redundancy payments.

There was little sign of enthusiasm amongst the leaders of TGWU members in the electricity supply industry to block deliveries of coal and oil to power stations, though it remained possible that some action might eventually be taken.

THE HOME SECRETARY said that two Stipendiary Magistrates had now been sitting for three weeks and were beginning to reduce the backlog of cases arising from the miners dispute. In the last seven days the number of miners sentenced to terms of imprisonment by magistrates had risen from 32 to 37. The longest sentence imposed was 9 months. There had been as yet no further requests for additional Stipendiary Magistrates to be appointed but he was keeping a close watch on the situation. Of more than 7,000 arrested for offences in connection with the dispute some 1,200 had now been tried. The Lord Chancellor was understood to be examining the lists of cases committed for trial at Crown Courts with a view to seeing what could be done to speed up the hearing of the more serious cases. It would be helpful if greater publicity could be given to sentences imposed by courts, particularly the more severe ones. It seemed that the recent violence, directed from M4 motorway bridges in South Wales against lorry convoys for Llanwern, was designed primarily to distract police attention from power stations and collieries.

During discussion the following were the main points made -

- a. The TUC should be pressed to insist that their own code of practice on picketing should be observed by the NUM, thus reducing the level of violence and intimidation and making it easier for those miners, who

so wished, to return to work. There were indications that in most NCB areas a high proportion of those on strike were ready to return to work if they could do so with a reasonable prospect of safety for themselves, their families and their property. It was however very difficult to obtain adequate evidence to support prosecutions against the organisers of violence and intimidation.

b. It would be helpful if NCB officials could make more frequent and effective media appearances, both nationally and locally.

c. The Advisory, Conciliation and Arbitration Service (ACAS) would continue to keep in touch with both the NUM and NCB but it seemed highly improbable that ACAS would be in a position to assist in bringing the two sides together. It was important that the public should recognise that the main obstacle to progress was Mr Scargill's intransigence over the closure of uneconomic pits.

d. It might now be opportune to give greater and more sustained publicity to the plans already made by the NCB to provide financial and other support for miners and mining communities likely to be affected by pit closures.

THE PRIME MINISTER, summing up the discussion said that the most important current problem was to get the threat of strike action by NACODS members lifted and nothing should be said or done to prejudice the successful outcome of the NCB/NACODS negotiations. It would be helpful if Ministerial speeches and media appearances prior to and during the coming weekend could highlight clearly the law and order aspects of the dispute.

The Group -

Took note, with approval of the Prime Minister's summing up of their discussion.

Cabinet Office

28 September 1984

SECRET AND PERSONAL

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MISC 101(84) 43rd Meeting

COPY NO

18

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 3 OCTOBER 1984 at 10.00 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Michael Havers QC MP
Attorney General

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon David Young
Minister without Portfolio

Mr Giles Shaw MP
Minister of State, Home Office

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally numbered 45, those turning some coal numbered 9, those with some men present numbered 22 and those strikebound numbered 98. Attendances in working areas were generally good. Many pits in Yorkshire now had small numbers of men in; picketing there was widespread.

Movements of coal the previous week had again been the greatest during the strike. Some 700,000 tonnes had been delivered to power stations, where stocks had risen (for the fourth week running) by 97,000 tonnes. Prospects for the present week were good for deliveries both by road (in spite of one slight local difficulty) and by rail. There was some threat, however, of a one-day strike at the British Rail (BR) depot at Shirebrook over alleged inconsistency in the treatment by BR of men who refused coal trains there and at other depots. Signalling staff due to take over shortly at Coalville were thought likely to take a more unhelpful line than present staff over coal traffic. The BR Board were considering these matters.

Attempts in the courts the previous week by two Yorkshire miners, Mr Taylor and Mr Foulstone, to have the strike declared unlawful had been successful. A writ alleging a subsequent contempt had been served on Mr Scargill: a further hearing in the High Court, which Mr Scargill had said he would not attend, would take place on the following day.

The National Coal Board (NCB), in discussion with the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS), had settled the dispute about procedures which had sparked off the Association's strike ballot. The Association, however, had now proposed to the NCB a procedure for independent arbitration over whether uneconomic pits should close. This was unacceptable because of the effect it would have on the ability of the NCB to manage the industry in accordance with their statutory obligations. It was similar to ideas raised recently by the Opposition spokesman on

SECRET AND PERSONAL

energy and to an earlier proposal by the National Union of Mineworkers (NUM), which the NCB had emphatically rejected. NACODS had neither developed their proposal in detail nor secured the backing of the NUM or the British Association of Colliery Managers (BACM) for it: he understood that the Association would ask the Advisory, Conciliation and Arbitration Service (ACAS) at a meeting later that day to sound out the other unions in the industry. ACAS would be in contact by telephone with the NCB before their meeting with NACODS; and it was possible that the Service might meet the NUM on the following day. The NCB, wisely, had dealt sensitively with the NACODS proposal and not rejected it immediately. In talks with NACODS, the Deputy Chairman of the NCB had asked them to expand on their proposals, had explained the restrictions on the ability of the Board to give up the right ultimately to decide on closures and had said that he would report to the full NCB Board on 5 October. NACODS were threatening a strike from 8 October if they were not satisfied with developments at the NCB Board meeting.

THE ATTORNEY GENERAL said that the action which the High Court might take on the following day was, for obvious reasons, not predictable with certainty. He thought it unlikely that Mr Scargill would be committed to prison; and likely that he would be allowed a further opportunity either to attend or be represented. The outcome if Mr Scargill was found to be in contempt was likely to be a large fine, possibly followed by sequestration of NUM assets if the contempt were not purged.

The Transport and General Workers' Union (TGWU) was reported to be seeking to table at the Labour Party Conference a motion backing the intention of Mr Scargill to defy the courts. If that were to happen, it could lead to action by the courts with implications applying much more widely than to the NUM alone.

THE MINISTER OF STATE, HOME OFFICE said that it had been reported that, on the previous day, the Yorkshire miner Mr Taylor and his family had been forced off the road in their car by a car containing five men; and that they had then been seriously threatened. It was alleged that the driver of the second car had been the Secretary of the Manton Colliery branch of the NUM; he and a second man were now in custody. The incident might give rise to serious criminal charges which would attract wide publicity.

SECRET AND PERSONAL

Arrangements had now been made to appoint further stipendiary magistrates in a number of areas where there was a backlog of cases arising from the dispute. He hoped that the helpful effects of these appointments would be felt from the middle of October.

In discussion, the following were the main points made -

a. It was not clear what the response of NACODS members would be if a strike were called. The leadership had made it clear in the campaign before the ballot that they intended not to call a strike, but to use a vote for one as a bargaining counter with the NCB. The pay and procedural dispute which had led to the ballot had been resolved. There was a clear risk, however, that a strike call might be effective.

b. The NCB's dealings with NACODS later in the week would call for careful handling. It was obvious that the Board could make no concessions of substance on the question of independent arbitration over closures. It was important, however, that they should adopt a reasonable position which might lead NACODS to refrain from calling a strike and increase the chances that NACODS members would continue to work if a strike was called. One possible approach might be to try to place the onus on NACODS, (rather than, as the Association hoped to do, on ACAS) further to clarify the position of the other unions in the industry in relation to the arbitration proposals. In the meantime, it was important to try to prevent expectations on the part of NACODS and certain of their supporters in the trade union movement of a major breakthrough by the end of the week from gaining strength.

c. Mr Scargill, following the support he had received at the Trades Union Congress and Labour Party Conference, was clearly in no mood to settle the dispute. The NCB might consider it tactically appropriate at some point (though probably not at present) to offer to give loss-making pits to worker co-operatives, perhaps with a capital grant based on commuting the redundancy entitlements of the workers concerned. The possibility of "mothballing" rather than closing some pits where there were reserves which could not be worked profitably at

present might also be worth considering. Given the present, poor prospects for an early settlement, however, there was clearly no advantage to the NCB in offering any concession which might later be helpful in clinching a settlement when prospects improved.

THE PRIME MINISTER, summing up the discussion, said that the dispute had reached a very sensitive stage with recent developments in the Courts and the prospect of crucial talks later in the week between the NCB and NACODS. There would probably be no need for strong public statements from Ministers following the outcome of the case against Mr Scargill for contempt, but they should take opportunities which might present themselves to try to ensure that the issues were reported in the media in a balanced and accurate way. In particular, it was important that it should be generally understood that the case against Mr Scargill had been brought, not by the NCB or the Government, but by members of the Yorkshire NUM itself; and that it depended, not on trade union legislation introduced by the present Government, but on long-established legislation designed to protect members of corporate bodies of all kinds against abuse. In negotiations with NACODS, the aim of the NCB would continue to be to avoid a strike without conceding the principle of independent arbitration over closures, which, as the Board had earlier indicated in talks with the NUM, was unacceptable. It would be necessary to discuss further the line which the NCB would be taking in the negotiations with NACODS. Cabinet on the following day would discuss any further developments in the dispute.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

3 October 1984

SECRET AND PERSONAL

22

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MISC 101(84) 44th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 8 OCTOBER 1984 at 11.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon David Young
Minister without Portfolio

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon John Stanley MP
Minister of State for the Armed Forces
Ministry of Defence

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally numbered 45. Those turning some coal numbered 10, an increase of 1. The pit concerned was in North Staffordshire: resumed production there was particularly welcome because the coal was of the kind needed for coke for the British Steel Corporation (BSC) works at Scunthorpe and elsewhere. A further pit in North Derbyshire now had 20 men in ^{land} the National Coal Board (NCB) hoped that attendances would now quickly increase to levels at which production would be possible.

876,000 tonnes of coal had been moved the previous week. 637,000 tonnes had gone to power stations, where there had been a small increase in stocks for the fifth week running. Stocks at the power stations were now higher than 2 months previously.

207 coal trains had run during the previous week. The British Rail (BR) Board hoped that the 1-day strike which had been called at its Shirebrook depot on 10 October would not now take place.

The Chairman of the NCB had met representatives of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) on Friday 5 October. The Board had made clear that its legal duties precluded binding arbitration on closures. Their view was that any arrangements involving a third party in closure procedures could go no further than providing for independent advice of some kind to be given at regional or local level and then to be considered by the Board along with other relevant factors in coming to a conclusion. At further talks held in Doncaster on 7 October at the request of NACODS, the Association had asked the NCB to agree to joint talks in the course of the following week with the Advisory, Conciliation and Arbitration Service (ACAS). The NCB had said that they were prepared to do so: meanwhile, they were having separate talks with ACAS on 8 October. Although the risk of a strike by NACODS remained, the likelihood was reducing somewhat as the interval since the Association's ballot increased. There was evidence of pressure from some NACODS members for a further ballot to be held if the leadership wished to call a strike.

SECRET AND PERSONAL

THE SECRETARY OF STATE FOR EMPLOYMENT said that ACAS, who had met the National Union of Mineworkers (NUM) on Saturday 6 October, felt themselves under pressure to become further involved in attempts to settle the dispute. The measured way in which the NCB had handled the dispute with NACODS had helped to defuse unjustified and unhelpful expectations which had become apparent the previous week on the part of the Association and others that a major breakthrough involving all parties to the dispute might be imminent. He understood that ACAS were exploring whether there was a case for trying to bring all parties to the dispute together for discussions, but that their view was that this was unlikely to achieve worthwhile results at present.

In discussion of the public line to be taken by Ministers, the following main points were made -

a. On the question of uneconomic pits, Ministers should stress that it was in the interests of the industry and everyone in it to invest for a profitable and cost-effective future. It would be senseless to spend the resources - provided by the taxpayer - which were needed to achieve this on keeping some loss-making pits producing coal at a cost far greater than the price at which it could be sold. The NUM's claim to be fighting to preserve jobs for future generations was nonsense: even with closures confined to exhausted pits as proposed by the NUM, the life of many uneconomic pits was limited. Looking after the real interests of future generations, both in the coal industry and in enterprises which brought energy generated from coal, meant working for the healthy and cost-effective industry which both the NCB and the Government wished to see.

b. The General Secretary of the NUM at the weekend had appeared to suggest that the Union might be prepared to acquiesce without strike action in pit closures decided on as a result of binding arbitration of the kind proposed by NACODS. The reaction of the NUM to subsequent comments by the Secretary of State for Trade and Industry had made it clear, however, that the NUM would refuse to agree to terms of reference which would allow an arbitrator to recommend closures on economic grounds. As far as possible, Ministers should see that the leadership of the NUM did not succeed by adopting a conciliatory tone in distracting public attention from the true intransigence of their position.

SECRET AND PERSONAL

c. Ministers should confine their statements as far as possible to the facts of the dispute and should, in particular, avoid being drawn into discussion of opinions expressed by the Archbishop of Canterbury and other senior figures in the Church of England. It was to be hoped, however, that the churches would recognise their responsibilities to oppose intimidation and violence and to use their influence to protect potential victims.

In further discussion, the following were the main points made -

d. Any introduction of advice from a third party into closure procedures should take place at the local or regional level, where consultation procedures had worked effectively in the past; and not at national level.

e. The NCB had not so far publicised effectively the benefits which its new Enterprise Agency would have for the future of areas affected by closures. It would be helpful to the Board's case if they were to continue their efforts to do so, if necessary by means of paid advertising. They would have a particularly apt opportunity when they announced shortly the names of the Chairmen of the Agency and other leading personalities involved.

THE PRIME MINISTER, summing up the discussion, said that events in the coming week would be delicate, and, in some important respects, unpredictable. What action the High Court would take on 10 October over the case which had been brought against Mr Scargill for contempt by 2 Yorkshire miners remained to be seen, particularly if, as seemed likely, Mr Scargill stayed away. Negotiations with NACODS would continue to call for careful handling by the NCB. Members of the Group should take great care in preparing their public statements on the dispute in the course of the week; and, in doing so, should draw on the lines identified by the Group in discussion. Unless developments in the dispute made an earlier discussion necessary, the Group would meet again on Monday 15 October.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

8 October 1984

SECRET AND PERSONAL

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MISC 101(84) 45th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 23 OCTOBER 1984 at 10.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Young
Minister without Portfolio

The Rt Hon John Stanley MP
Minister of State for the Armed
Forces, Ministry of Defence

Mr Norman Lamont MP
Minister of State, Department of
Trade and Industry

Mr Michael Ancram MP
Parliamentary Under-Secretary
of State, Scottish Office

Mr Michael Spicer MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally numbered 45, those turning some coal numbered 10, those with some men present numbered 23 and those on strike numbered 96. Record attendances were reported that day in Scotland, North Derbyshire and the Western Area. The National Coal Board (NCB) hoped that one pit in South Yorkshire, where 26 men were now present, would shortly begin to turn coal.

Total movements of NCB coal the previous week had been 911,000 tonnes. 670,000 tonnes had gone to power stations. The expansion of movements, principally by road, to their present levels had been a great achievement. It remained to be seen whether threats by the Transport and General Workers Union to disrupt supplies from open cast sources would have any significant effect.

Talks were taking place that morning between the NCB and the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) at the Advisory, Conciliation and Arbitration Service (ACAS). The talks followed an approach to the NCB by NACODS, whose suggestion it was that ACAS should be involved. The direction that the discussions might take and the likely outcome were impossible to predict. If the strike threatened by NACODS from 25 October took place, it should be possible to move 350-450,000 tonnes of coal a week to the power stations from formerly working pits and from opencast sources even if production were to cease. It would be necessary to provide a further 150,000 tonnes a week from other sources. Consideration was being given to the sources which should be used and how the movements should be handled.

In discussion the following were the main points made -

- a. The handling in the media of the appointment of Mr Eaton as adviser to the Chairman of the NCB had led to exaggerated impressions of his role in relation to negotiations and to undesirable speculation about the future role of Mr MacGregor. No doubt the Board would continue to take opportunities to clarify Mr Eaton's role in relation to that of Mr MacGregor.

- b. No Chief Executive or Board members had yet been appointed to the NCB's new Enterprise Agency.

THE PRIME MINISTER, summing up the discussion, said that the temperature in the dispute was likely to be further increased if, as seemed likely, the assets of the National Union of Mineworkers (NUM) were sequestered in the High Court on the expiry the following day of the deadline for payment of the fine imposed on the Union for contempt. Meanwhile, considerable uncertainty surrounded the talks at ACAS that morning between the NCB and NACODS. It was to be hoped that the outcome would be that the strike threatened by NACODS from 25 October would be called off on a basis acceptable to the NCB and consistent with its statutory and other responsibilities. While the outcome of the talks remained unclear, NACODS should be left in no doubt that a strike would, on current form, be likely to continue for a considerable time. It was important to avoid any implication that NUM members who had worked throughout the dispute would be let down if NACODS struck, but, equally any reassurances given should not be of a kind likely to reduce pressure from working miners on NACODS to continue to work. Above all, it was important to leave no doubt in anyone's mind that, in the event of an effective strike by NACODS, the NCB and Central Electricity Generating Board could and would continue, with the support of the Government, to move coal to power stations in quantities sufficient to keep them in operation and the economy working.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

23 October 1984

SECRET AND PERSONAL

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MISC 101(84) 46th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 29 OCTOBER 1984 at 11.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Young of Graffham
Minister without Portfolio

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Mr Norman Lamont
Minister of State, Department of
Trade and Industry

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered the latest position in the coal dispute.

THE SECRETARY OF STATE FOR ENERGY said that numbers of pits with some men in, turning some coal and working normally were the same as the previous week. Record attendances were reported that morning in North Derbyshire and Lancashire. Large-scale picketing was reported that morning at two pits in Yorkshire: this had become the normal pattern.

The National Coal Board (NCB) had moved 897,000 tonnes of coal the previous week.

Press reports had appeared at the weekend about a visit by the Chief Executive of the National Union of Mineworkers (NUM), Mr Windsor, to Libya. Mr Scargill had subsequently attempted to argue, first, that the visit was a normal part of a series of wider international contacts; and, secondly, that the purpose of the visit had been to hold discussions with union sources, and not with the Libyan Government. These claims were implausible. There was clear evidence that the visit had been concealed from members of the National Executive of the NUM and that personnel of Libyan state organisations had been involved in making and paying for travel arrangements. The contacts through whom the visit had first been set up had had no connections with Libyan trade unions, though they were connected with Libya in less desirable ways. Revelations about the visit had led to divisions between the NUM and the Labour Party, and, to some extent, between the NUM and the Trades Union Congress (TUC). It was too early yet to say whether there would be a significant effect on the rate at which strikers were returning to work, but he hoped that reaction to the episode would help to strengthen the hand of moderates within the NUM.

Talks the previous week between the NUM and NCB at the Advisory, Conciliation and Arbitration Service (ACAS) had been adjourned and were due to be resumed on the morning of 31 October. Neither the NUM nor the NCB had changed their stance. ACAS had asked each side for a paper setting out its position: a likely outcome from the resumed negotiations was that ACAS would see no scope for productive negotiations and would suggest that the talks be broken off.

SECRET AND PERSONAL

In discussion the following were the main points made -

- a. It would be important to gain full benefit from the settlement with the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) and the revelations about the NUM's Libyan connection while their impact remained fresh. Strikers would tend to be inhibited from returning to work while negotiations continued: if the NUM remained unwilling to accept terms which had been agreed by NACODS or otherwise to modify their position, it was undesirable that talks between them and the NCB should be prolonged. ACAS's view of the prospects for progress - or lack of them - might lead them to terminate the talks: if not, it was likely that action by the NCB to terminate them would be widely understood and supported, given the extreme intransigence of the NUM and the availability of reasonable terms which had been accepted by other unions.
- b. It was not yet clear what the membership or terms of reference of the new body to be set up under the NCB's agreement with NACODS were to be, nor on what criteria it would consider matters put to it. Further details of the NCB's thinking on these points should be given to the Group as they became available.
- c. The time might now be right for the NCB and Central Electricity Generating Board (CEGB) to consider a major increase in coal deliveries, drawing on stocks at pitheads. On the other hand, coal was already being moved in very substantial quantities. Any significant expansion would present logistical problems, and might provoke a reaction which could put existing movements at risk.
- d. It was still not clear what effect the sequestration of national NUM funds would have on their ability to finance picketing, the direction of which had previously been carried on at national level. It was thought that the sequestrators would seek to pursue national funds thought to have been passed to the areas of the NUM to finance picketing. It seemed unlikely at present that sequestration would affect the union's hardship funds, which were held in a separate fund with separate trustees.

THE PRIME MINISTER, summing up this part of the discussion, said that if, as seemed likely, the NUM remained wholly intransigent at the resumed talks at ACAS later that week and refused to accept the terms which had been agreed by NACODS, the Gr up agreed that it was desirable that the talks should end. While the attitude of the NUM ruled out a negotiated settlement, the only alternative was to encourage individuals still on strike to return to normal working. Best efforts should be made to channel the revulsion of decent people in the NUM, the TUC and the Labour Party at the NUM's relations with Libya into pressure for a settlement on reasonable terms. Such pressure would, it was to be hoped, increasingly isolate the ex reme stand of Mr Scargill and the strike leadership. It would be desirable to await the outcome of that week's events before considering attempts to achieve large increases in movements from stocks at strikebound pits or any other major new initiatives in the conduct of the dispute.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.

THE SECRETARY OF STATE FOR TRANSPORT said that the Chairman of the British Rail (BR) Board had been due to report to him by mid-Summer on his plans for the future of British Rail Engineering Limited (BREL). Because of the undesirability of further controversy on the railways while the coal strike continued, he had not so far pressed the Chairman for his report. The railway unions were aware, however, that the Chairman was committed to report to him on this subject. They were suspicious about the delay and were pressing the Chairman to discuss his intentions with them. In his own view, the consequences for industrial relations of further delay would be likely to be more disruptive than allowing the Chairman to open consultations with his unions now. He himself had spoken to the Chairman of BR, who wished to write to him formally, explaining that it had not been possible to make progress with the review of BREL as quickly as had originally been hoped and asking for more time to complete the necessary work. He proposed then to open preliminary discussions with his unions.

SECRET AND PERSONAL

THE PRIME MINISTER, summing up a brief discussion, said that it was of great importance to avoid industrial action on the railways. The Secretary of State for Transport, bearing this in mind, should seek to agree with those Ministers most closely concerned how best to handle his proposed formal contact with the Chairman of the BR Board about the review of BREL; and what advice the Chairman should be given about requests for discussions by the railway unions.

The Group -

2. Invited the Secretary of State for Transport to seek to agree proposals on the matters indicated by the Prime Minister in her summing up with the Prime Minister, Secretary of State for Energy, Chancellor of the Exchequer and the Secretary of State for Employment.

Cabinet Office

29 October 1984

SECRET AND PERSONAL

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MISC 101(84) 47th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 13 NOVEMBER 1984 at 11.15 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Young of Graffham
Minister without Portfolio

Mr Norman Lamont MP
Minister of State
Department of Trade and Industry

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr David Mitchell MP
Parliamentary Under-Secretary of
State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

SECRET AND PERSONAL

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group considered a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that pits working normally numbered 45, those turning some coal numbered 12, and those with some men present numbered 48. The number turning some coal had increased by 2 compared with the previous week. Numbers of pits on strike or picketed out were now 69, compared with 119 at the beginning of the Summer Recess.

Numbers of strikers returning to work had increased markedly. Following eight months in which 6,000 had returned, around 5,000 had now returned over 9 days. 1,986 had returned the previous day. 707 had reported for the first shift that morning. He expected this figure to increase to 800-900 by the end of the day. In Scotland, where numbers of working miners had increased by 60 per cent in the space of two days, he hoped that 2 further pits would shortly restart production. In addition, Manton colliery was expected to resume production that day or the following day, and a further Yorkshire pit was expected to restart in the course of the week.

Movements of coal in the previous week had reached a record 954,000 tonnes. Coal stocks at the power stations had again increased following an increase of 120,000 tonnes during the preceding week. He expected a further increase during the current week. Availability of coal, rather than the ability of British Rail to provide trains, was now the limiting factor on movements by rail in the South Midlands.

Striking miners, when they returned, would become eligible after four weeks for back payments in respect of holiday and certain other entitlements. To receive these payments before Christmas, it was necessary for them to return by 19 November. The National Coal Board (NCB), however, were anxious to maintain incentives to return for those who had not done so by 19 November. The possibility of advance payments to strikers returning after 19 November was not ruled out. Moreover, the NCB intended to provide new incentives for returning strikers (and further rewards for miners who had continued to work)

SECRET AND PERSONAL

by implementing their 1983 pay offer. This would give strikers returning to work the prospect of a lump sum for back pay from November 1983 to March 1984. The NCB were planning further letters to strikers, backed with paid advertising, to bring home to strikers what was on offer.

THE HOME SECRETARY said that the growth of the return to work, with strikers returning in varying numbers to many previously strikebound pits, had led to a change in the strikers' recent tactic of two large-scale mass pickets each morning. The new pattern, in which signs of co-ordination could be seen, involved serious acts of violence to persons and property. It was hard for the police to counter these tactics in advance, both because of their wide geographical spread and because much of the trouble was taking place away from the pits themselves. A comparatively large number of arrests had been made, however, many of them followed by charges for serious criminal offences.

THE ATTORNEY GENERAL said that the sequestrators appointed by the High Court had so far succeeded in seizing only a small sum from the assets of the National Union of Mineworkers (NUM). It seemed likely to be necessary shortly to indemnify the sequestrators as to their costs if the process was to continue.

In discussion the following were the main points made -

a. It was essential that the difficulties being experienced by the sequestrators in tracing NUM funds should not lead to a situation in which a judgement of the High Court for contempt was unenforceable. It would be proper for the Government to give the sequestrators an indemnity as to their costs if necessary to allow the judgement of the Court to be upheld.

b. Judgement had now been given against Mr Scargill and Mr Heathfield personally for costs arising from the action in the High Court in July by miners challenging the validity of the purported change in the rules of the NUM on disciplinary procedures. Actions were also pending against the members of the National Executive of the NUM over alleged

improper use of funds and against the trustees of the NUM for breach of trust. These developments, and particularly their possible consequences for individuals, could have important implications for the relative strength of moderate and hard-line opinion within the National Executive of the NUM. They might also have eventual implications for progress with sequestration, the next major step in which was the action in hand in the Irish High Court over money deposited by the NUM in the Irish Republic.

c. The backlog of cases arising from the strikes had been greatly reduced in the magistrates' courts, where 9 stipendaries had now been provided. It was nevertheless a matter for concern that a greater number of the more serious cases arising from the dispute had not yet been dealt with in the Crown Court.

THE PRIME MINISTER, summing up the discussion, said that the recent acceleration in the return to work was a most welcome victory for working miners acting in accordance with the rules of their union. Ministers should take care to treat it publicly as such: statements which appear to claim political credit for the Government were likely to be counterproductive. The Group welcomed the steps being taken by the NCB to sustain and, if possible, to increase the momentum of the return. The criminal acts with which strikers had responded were a serious development. She would arrange for Cabinet later that week to discuss further ways of reducing what still appeared to be unacceptable delays in trying the most serious criminal cases arising from the strike. As to the civil law, the Group agreed that the sequestrators should be indemnified by the Government as to their costs if that was necessary in order to allow the judgement of the High Court to be enforced.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Took note that the Prime Minister would arrange for Cabinet on 15 November to discuss further ways of accelerating the trial of serious criminal cases arising from the dispute.

SECRET AND PERSONAL

3. Invited the Attorney General, consulting the Chief Secretary, Treasury as necessary, to arrange for the sequestrators pursuing the assets of the National Union of Mineworkers to be indemnified as to their costs if that was necessary to allow the judgement of the High Court to be enforced.

Cabinet Office

13 November 1984

SECRET AND PERSONAL

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MISC 101(84) 48th Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 20 NOVEMBER 1984 at 10.45 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home
Office

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Nicholas Edwards MP
Secretary of State for Wales

The Rt Hon Lord Young of Graffham
Minister without Portfolio

Mr Norman Lamont MP
Minister of State
Department of Trade and Industry

The Hon Alan Clark MP
Parliamentary Under-Secretary of State
Department of Employment

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that with the continuing increase in the number of miners returning to work some pits were reverting to a two or three shift pattern of work and therefore the early morning figures would in future tend to be a less reliable indicator of the true position. The previous days early morning figure had been 1500, whereas the whole day's total was 2282. That days morning figure showed a further 790 men reporting for work for the first time. There had been particularly encouraging increases in the North East (651 the previous day, 144 so far that day); Yorkshire (500 the previous day); North Derbyshire (400 the previous day, 130 so far that day); The Western Area (390 the previous day) and Scotland, where coal was now being mined at Monkton Hall Colliery. There were now only 27 pits without men present; of the other 147, 45 were working normally, and 17 were turning some coal. It was likely that two or three pits in the latter category would soon move up to the 'normal working' category.

South Wales miners were under intense pressure to remain on strike, but even so a further 16 men had reported for work that day and just over 100 men were now working in the coalfield. By contrast there had been 91 per cent of normal attendance for work at Bersham Colliery in North Wales the previous day and the figure was expected to rise further that day.

There had been some difficulties about attendance, at a number of pits in Yorkshire and one in Scotland, by members of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) but he expected them to be overcome satisfactorily.

As the working miners had still not received the pay increase they were offered from November 1983 the National Coal Board (NCB) were likely to make an announcement soon about a lump sum payment on account backdated to November 1983. Those miners returning to work following the end of the current week would derive some benefit from the new payment and this would sustain the incentives for resuming work.

Coal movements the previous week had been 953,500 tonnes, about the same as in the immediately preceeding week. With no significant new difficulties being experienced over rail and road movement, he thought it possible that 1 million tonnes of coal might be moved in the current week.

There seemed to be little chance of any further initiatives from the Trades Union Congress (TUC) in the immediate future. He understood that a formal request for a meeting with church leaders had been made by the National Union of Mineworkers (NUM) and it seemed likely that such a meeting would be held. It was to be hoped that church leaders would be cautious in their dealings with Mr Scargill and would take the opportunity both to condemn violence and to draw attention to the NCB offer already accepted by NACODS.

THE HOME SECRETARY said that there had been some trouble that morning in the West Yorkshire and Durham coalfields, but on a much smaller scale than had been seen recently. He had visited Yorkshire the previous weekend and had been impressed, not only by the high morale of the police officers on duty there, but, also by the care being taken by the NCB and police to brief all individuals seeking to return to work about the situation they would face before including them in the official transport arrangements. He was satisfied that the police were clear about the continuing need to obtain evidence that would permit proceedings to be brought against those who were organising and directing violence and vandalism.

THE ATTORNEY GENERAL said that the sequestrators appointed by the High Court had discovered that £5 million of NUM funds, previously transferred from the Republic of Ireland to the United States of America, had now been moved to three separate locations in Europe and action was in hand to freeze these assets.

In discussion the following were the main points made -

- a. There appeared to be a noticable decline of enthusiasm for picketing in Scotland where half the 50 strong picket that morning at Bilston Glen Colliery, where 705 men were working, came from the Durham area. A further encouraging sign was the fact that 74 per cent of the workforce in the pit at Coventry, earlier the most militant in the Midland coalfield, was now at work.

b. It was hoped that, following a recent ruling by the High Court about the illegality of the special 50p miners' support levy on members of the National Union of Seamen, employers in that industry would now refrain from making the necessary deductions at source. It might also be useful to consider collecting information about the sizeable sums of money being donated to the NUM by a number of local authorities.

c. It was unfortunate that the NCB had not yet selected a chief executive for NCB Enterprises, but delay had resulted from the need to honour internal agreements by advertising such posts widely within the coal industry. It seemed likely that an appointment, from outside the coal industry, would shortly be made.

d. It would be helpful for the group to know how the NCB intended to establish the independent colliery review body that had been an important part of the agreement with NACODS; the composition, terms of reference and criteria for consideration of pits for possible closure would be of particular interest.

THE PRIME MINISTER, summing up the discussion, said that the continuing increase in the rate of return to work should be encouraged and fostered by all practicable means. It was noteworthy that over 11000 miners had returned to work in the past 11 days. She had received a letter from the Foreign and Commonwealth Office about the recent disclosure of a substantial cash gift to the NUM from Soviet miners, outlining certain proposals by the Foreign and Commonwealth Secretary for pursuing the matter with the Soviet authorities. The Minister of State, Department of Trade and Industry was due to lunch that day with the Soviet Ambassador and would take the opportunity to raise the matter with the Ambassador on the lines proposed by the Foreign and Commonwealth Secretary.

The Group -

1. Took note with approval of the Prime Minister's summing up of their discussion.

2. Invited the Secretary of State for Energy -

i. to report back when he had discussed with the National Coal Board its thinking about the establishment of the independent colliery review body that had been agreed as part of the settlement with the National Association of Colliery Overmen, Deputies and Shotfirers.

ii. to arrange for his officials, in consultation with officials of the Scottish Office, Welsh Office and Department of the Environment to assemble information, for circulation to the Group, about financial assistance to the National Union of Mineworkers by local Authorities

Cabinet Office

20 November 1984

SECRET AND PERSONAL

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MISC 101(84) 49th Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 26 NOVEMBER 1984 at 11.00 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Young of Graffham
Minister without Portfolio

The Rt Hon John Stanley MP
Minister of State for the Armed Forces
Ministry of Defence

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Mr David Trippier MP
Parliamentary Under-Secretary
of State, Department of
Trade and Industry

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 6000 striking miners had returned to work during the previous week. Just over 800 had returned on the first shift that morning. This number, which he expected to rise to about 1000 during the day, was smaller than for the two preceding Mondays, though about average for other recent weekdays. The acceleration in the return to pits in Scotland and the North East was continuing. Only 24 pits now had no men present, compared with 111 at the beginning of the month. About 36 per cent of members of the National Union of Mineworkers (NUM) were now not on strike: of the total of 222,000 employees in the industry a figure of 100,000 not on strike should be reached that day or the following day. There were some grounds for hope that discussions underway in the Nottinghamshire area of the NUM might result in the overtime ban being called off in the County.

Movements of coal in the previous week had matched the high levels of the week before. No difficulties were reported with road or rail transport. Estimates of endurance, which took full account of the Christmas break, showed the power stations in a strong position.

A number of pits were being prevented from resuming production by the refusal of some members of the National Association of Colliery Overseers, Deputies and Shotfirers (NACODS) to cross picket lines. This problem arose particularly in the North East and in Yorkshire, where the personal influence of the President of NACODS was strong. NACODS members were under pressure both from the National Coal Board (NCB) and from working miners to work normally.

THE HOME SECRETARY said that the decline in mass picketing by the NUM continued. The highest number of pickets reported at any pit that morning was 600. Numbers elsewhere were very significantly less.

19 people had been arrested in connection with the attack on 23 November on Mr Michael Fletcher, a working miner from Pontefract. 9 had been charged and would appear in court that day on charges of which the most serious was one of aggravated burglary, which carried a maximum penalty of life imprisonment. Charges were not thought likely in the case of 3 men at present on police bail. The remaining 7 - who included an officer of the NUM - were still being interviewed by the police.

There had been no arrests in connection with a fire at the home of another working miner. 5 arrests had, however, been made in connection with the vandalism which had taken place at the ^{NCB} NUM Geological Unit at Cadeby on 18 November. 3 of the 5 were unemployed and the remaining 2 were juveniles: no link had as yet been established with the dispute.

He was advised by the Lord Chancellor that a number of serious cases arising from the dispute were due to be tried in the period up to early December by the Crown Courts at Warwick, Derby, Stafford, Liverpool, Chester and by other Crown Courts in the North East and South East.

THE ATTORNEY GENERAL said that it was likely that the Government's decision to indemnify the sequestrators pursuing the national assets of the NUM would become public on or shortly after 28 November.

In discussion the following were the main points made -

- a. There was a danger that recent extreme instances of intimidation and vandalism might effectively deter miners from returning in small numbers to strike-bound pits. The best way of countering this would be for the courts to be seen to deal appropriately and promptly with offences. It was noticeable that the President of the NUM, although he had deplored attacks on property, had not condemned violence against Mr Fletcher and others.

b. It might be possible to guard against violent intimidation by equipping working miners with home alarms of the kind widely used by the elderly and handicapped.

c. Exchanges during the previous week between the NCB and NACODS about the Board's policy of avoiding compulsory redundancies had not been well handled. It would have been preferable to lay greater stress on the positive aspects of the Board's stance and less on circumstances which might make it hard to avoid compulsory redundancies in some abnormal cases if the strike continued.

d. The lack of a Chairman or Chief Executive for NCB (Enterprise) Limited continued to damage the effectiveness with which the NCB's case could be deployed.

THE PRIME MINISTER, summing up the discussion, said that the Government's aim should be to foster conditions in which the steady return to work could continue and accelerate. The NCB's case required careful handling to encourage strikers to return to work, to ensure that those who had worked throughout had no grounds for feeling aggrieved at their treatment and to avoid action or statements - particularly in relation to NACODS - which might damage recent favourable trends in the dispute. Recent violence and vandalism made it all the more important that criminal cases arising from the dispute should be dealt with promptly in the courts. The Attorney General, consulting the Home Secretary and the Lord Chancellor, should consider additional means of expediting the most serious cases, including the possibility that prosecutions in some cases might be taken over by the Director of Public Prosecutions.

The Group -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.

2. Invited the Attorney General, consulting the Home Secretary and Lord Chancellor, to consider additional means of expediting trial of the most serious criminal cases arising from the dispute.

Cabinet Office

26 November 1984

SECRET AND PERSONAL

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MISC 101(84) 50th Meeting

COPY NO

19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 10 DECEMBER 1984 at 5.30 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon John Stanley MP
Minister of State for the Armed Forces
Ministry of Defence

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Lord Young of Graffham
Minister without Portfolio

Mr Giles Shaw MP
Minister of State, Home Office

Mr Norman Lamont MP
Minister of State, Department of
Trade and Industry

SECRETARIAT

Sir Robert Armstrong
Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

The SECRETARY OF STATE FOR ENERGY said that some 600 miners had given up the strike the previous week. That day 208 had returned to work; a significant number were in the South Yorkshire area where it was expected that coal would be produced at Manton Colliery for the first time since the strike began, either that afternoon or the following morning. 948,000 tonnes of coal had been moved by the National Coal Board (NCB) during the previous week and coal stocks at power stations remained above 15 million tonnes.

A number of High Court cases were due to be heard during the current week, which could result in the Yorkshire and North Derbyshire National Union of Mineworkers (NUM) area funds being committed to the care of trustees and individual members of the NUM National Executive Committee being made personally liable for certain financial penalties imposed by the Court. It seemed likely that pay discussions between the NCB and the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) which had restarted that day, would be prolonged as it was unlikely that NACODS would readily accept the 5.2 per cent already accepted by the British Association of Colliery Managers Union (BACM). NACODS members were still refusing to cross NUM picket lines in Yorkshire in sufficient numbers to permit the resumption of coal production at a second pit, but efforts would continue at a local level to improve the position. The NCB's strategy both on the pay negotiations and on getting NACODS members back to work was to play it long and avoid provoking a confrontation.

There was at present no sign of any new initiative from the Trades Union Congress (TUC) but the recent request from the Scottish TUC, accompanied by representatives of Scottish churches, local authorities and other organisations, to see the Prime Minister would need careful handling.

He understood there was a reasonable chance of saving those parts of Rossington Colliery currently threatened by an underground fire, but the task was made much more difficult by an NUM refusal to remove pickets to facilitate NACODS members joining the fire fighting.

The MINISTER OF STATE, HOME OFFICE said that intimidation continued but incidents were more scattered than in recent weeks. The number of cases awaiting trial in Magistrates' Courts had decreased by 300 between 9 and 30 November and there were plans to deploy three more Stipendiary Magistrates at Rotherham, Chesterfield and St Helens early in the new year to expedite hearings.

The ATTORNEY GENERAL said that news of the indemnity given to the sequestrators appointed by the High Court had attracted considerable attention when the revised supplementary estimate had been presented to Parliament. It was not yet clear when further proceedings might be taken in respect of the Transport and General Workers Union's failure to pay the fine imposed by the High Court in relation to the Union's breach of the 1984 industrial relations legislation during the recent Austin/Rover strike.

During a brief discussion the following were the main points made.

a. It would be important to use every means of communication (individual letters, press advertisements and direct approaches by local colliery management) to ensure the largest possible return to work after the Christmas and New Year holiday period. There would be a need to counter efforts likely to be made by the NUM to persuade their members to rejoin the strike by offering, for example, an amnesty to those who had returned to work during the weeks leading up to Christmas. Although the initial response in the first week of January might not be large because of difficulties in communication during the holiday period, and the usual problem of securing good attendances immediately after the New Year break, the NCB was right to time its efforts so as to take effect from 2 January onwards. These efforts would need to be sustained from then until the end of the tax year. The tax benefits to be gained by those returning to work earlier rather than later would be highlighted.

b. It seemed that a recent claim for a substantive pay increase for NUM members to cover a two year period, contained in a letter signed by the NUM General Secretary, did not have the approval of most members of the

NUM National Executive and Mr Heathfield had been reported as denying that it was in fact a pay claim.

c. The NCB had undertaken to produce a paper giving their ideas about the composition and terms of reference of the advisory body which would, in future, form part of the pit closures review machinery in accordance with the recent agreement between the NCB and NACODS.

The PRIME MINISTER, summing up the discussion, said that the NCB should be urged to produce the paper setting out its ideas on the new advisory body not later than early January. It was agreed that the request for a meeting with her by the Scottish TUC could not be accepted but she would seek advice from the Secretary of State for Energy, in consultation with the Secretaries of State for Scotland and for Employment, on how best to reply.

The Group -

Invited the Secretary of State for Energy:

- i. to urge the NCB to make available its paper about the colliery review advisory body not later than early January;
- ii. to propose, in consultation with the Secretaries of State for Scotland and for Employment, the terms in which she might reply to the letter sent to her by the Scottish TUC.

Cabinet Office
11 December 1984

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MISC 101(84) 51st Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in
Conference Room A, Cabinet Office
on TUESDAY 18 DECEMBER 1984 at 11.15 am

PRESENT

The Rt Hon Viscount Whitelaw
Lord President of the Council
(In the Chair)

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Lord Young of Graffham
Minister without Portfolio

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon Lord Gray of Contin
Minister of State, Scottish Office

Mr Norman Lamont MP
Minister of State, Department of
Trade and Industry

Lord Trefgarne
Parliamentary Under-Secretary
of State for the Armed Forces,
Ministry of Defence

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

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INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that there were now only 25 pits with no-one present. Since his last report, 2 more pits had begun production in Scotland. He expected a further pit in Yorkshire to begin production that day and another on the following day. Total production had increased by 20 per cent over the past four weeks. 974,000 tonnes of coal, a record for the strike, had been moved during the previous week by the National Coal Board (NCB) alone. Stocks were high and the position of the power stations and industrial users of coal was strong.

Just over 500 men had ended their strike during the previous week. About 80 had returned on the previous day and a further 30-40 that day. The NCB was preparing personal letters to strikers and press advertising to encourage a further return to work from 7 January, the first working Monday in the New Year. Strikers who returned now would pay little income tax on their wages up to the end of the tax year, but these benefits would be lost to those who did not go back before the tax year ended. If a further 15,000 returned to work, more than 50 per cent of National Union of Mineworkers (NUM) workers in the industry would be working. In practical and presentational terms, this would be equivalent to a vote in the national ballot in favour of returning to work. It would be necessary for the NCB to pay particular attention to South Wales, where the regional management appeared weak.

He and the Secretary of State for Employment had met on 14 December a delegation from the Trades Union Congress (TUC) led by the General Secretary, Mr Willis. The TUC representatives had conducted themselves well, but it was clear that they had little or nothing to say in support of the NUM, no worthwhile initiative to propose and no authority from Mr Scargill to negotiate. Their statements following the meeting had recognised the Government's concern for a prosperous future for the coal industry and had not included the usual references to intensification of industrial action in support of the miners' case. He would circulate a transcript of the press conference given by the TUC following the meeting on 14 December. The TUC had met the NUM on 17 December and were reported as accepting that no initiative to end the strike was now possible before Christmas.

SECRET AND PERSONAL

The proposed rule change to make the Nottinghamshire Area of the NUM no longer automatically subject to national NUM decisions was due to be discussed by the Area Council on 20 December. The legality of the change, which was expected to be agreed by the Area Council, would be challenged in the High Court by the NUM in a significant departure from their previous attitude to the law and the Courts. He understood that the Nottinghamshire Area were confident on legal advice that the legality of the change would be upheld. If so, other working areas might well follow suit; and it was likely that the overtime ban would be called off in Nottinghamshire.

THE HOME SECRETARY said that the level of picketing and violence on picket lines was considerably lower than earlier in the strike, though it was clear that intimidation was continuing elsewhere. The numbers of police deployed, though not at their peak, remained high to deal with intimidation and guard against vandalism and sabotage over the holiday.

Mr Scargill had now said that he would not after all appeal against his recent convictions. He had been given 14 days to pay the fines and costs imposed on him.

THE ATTORNEY GENERAL said that 18 Members of Parliament had entered the ballot for debates on the Consolidated Fund Bill on the night of 19-20 December with the intention of raising the question of the indemnity given by the Government to the sequestrators of the funds of the National NUM.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE, DEPARTMENT OF TRANSPORT said that 187 coal trains had run the previous week, the best weekly total since October. There had been indications at a meeting of the Rail Council during the previous week of concern on the part of some moderate unionists over the loss of freight business as a result of the strike.

THE LORD PRESIDENT OF THE COUNCIL, summing up the discussion, said that the Secretary of State for Energy was to be complimented on his handling of the meeting with the TUC on 14 December. The increasingly apparent isolation of the NUM and the lack of any prospect for new negotiating initiatives were

SECRET AND PERSONAL

favourable to the efforts of the NCB to bring about another acceleration in the return to work in early January. Past experience suggested that the Government could best aid those efforts by leaving the management to pursue them and resisting the temptation to make any political points. In the meantime, it would be most important for the police and NCB to be vigilant over the holiday against vandalism and sabotage which could damage production when work resumed in the New Year.

The Group -

Took note, with approval, of the Lord President of the Council's summing up of their discussion.

Cabinet Office
18 December 1984

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MISC 101(84) 1

COPY NO 18

15 March 1984

CABINET

MINISTERIAL GROUP ON COAL

OIL SUPPLIES TO THE CENTRAL ELECTRICITY GENERATING BOARD
IN THE EVENT OF A MINERS' STRIKE

Note by the Chairman of the Official Group on Coal

The attached report by the Official Group on Coal about oil supplies to power stations during a miners' strike is circulated for the information of the Ministerial Group. The report has been in preparation for some time and thus does not closely reflect the events of the past week or the possible imminence of decisions on increasing oilburn.

2. The report explains the part played by oil in the CEGB's plans. They advise that available fuel supplies at power stations provide in excess of 6 months' endurance, provided oilburn is phased up to the maximum over 4 weeks and oil supply then remains unconstrained. The reasons for phasing any move to maximum burn are explained in paragraph 4.5 in the Summary and Conclusions and paragraphs 2.7 - 2.11 in the main text. They are, while maintaining 6 months' endurance, to allow the CEGB and oil companies to make the necessary logistical and production arrangements in an orderly manner and with a minimum of perturbation in the market.

3. The possible means in paragraph 4.7 iii. of reducing the market effect of increased oilburn are already being pursued by the Department of Energy with the CEGB. The CEGB have in hand the short-term measures described in paragraph 3.2 on stocks and oil purchases and are in discussion with possible suppliers of the further additional oil necessary to achieve and sustain maximum burn, although they will not be willing because of the financial implications to go further without further guidance.

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4. Events which led to a loss or curtailment of supplies from the Gulf would clearly have an important effect on the international market and would require present plans for oilburn to be reconsidered urgently. The CEGB estimate that endurance of a miners' strike without additional oilburn would still be 4 months.

5. It is clear that oilburn will be a matter for early decision by the Ministerial Group and the CEGB if the industrial action continued. It will, of course, be necessary to take more fully into account then the consequences of oilburn for CEGB finances and customers' bills (paragraph 2.3 in the report)

Signed P L GREGSON

Cabinet Office

15 March 1984

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OIL SUPPLIES TO THE CENTRAL ELECTRICITY GENERATING BOARD
IN THE EVENT OF A MINERS' STRIKE

I. INTRODUCTION

1.1 The achievement of maximum oilburn at Central Electricity Generating Board (CEGB) power stations throughout a miners' strike is assumed in present estimates of endurance. The Official Group on Coal was commissioned to investigate where trouble might arise in the move to maximum oilburn and what action might be taken in advance to make sure that the necessary oilburn was achieved. This report has been prepared following consultation with the CEGB.

1.2 The oil burned in oil-fired power stations is heavy fuel oil (HFO). The CEGB's winter oil consumption varies between 40,000 and 90,000 tonnes per week and averages 60,000 tonnes per week. Maximum oilburn would increase this weekly consumption to about 350,000 tonnes. The ability of the CEGB to move rapidly to maximum oilburn depends on their stocks of HFO, the distribution of stocks in relation to consumption and lead-times for obtaining additional supplies to sustain oilburn at maximum. Section II of this paper reviews CEGB stocks, arrangements for resupply, likely market effects of increased UK demand for HFO and the timing of the move to maximum oilburn. Section III examines the scope for further action. Section IV summarises the report and the Group's recommendations.

SECTION II. THE PRESENT POSITION

UK Production of HFO

2.1 When construction of the CEGB's modern, large, oil-fired stations was started UK refineries had sufficient capacity to produce the necessary fuel oil for base-load operation. However, the escalation in oil prices over the past decade has meant that these stations are now largely operated only when required to meet winter demand. Refinery output has changed and some refineries have closed. In the event of an increase of the order described in Section I in the demand of the CEGB for HFO, their suppliers would have to adjust production, would need to draw upon their international supply systems and would also have some logistical difficulties to overcome in getting the supplies to the power stations where they were needed. It would not, therefore, be straightforward to make available immediately supplies sufficient to sustain maximum oilburn.

Oil Supplies to Power Stations

2.2 Oil-fired power stations fall into two groups. Just under half of consumption at maximum oilburn is accounted for by stations at Ince, Fawley and Pembroke, which draw their supplies direct from linked refineries. The output of these refineries may not be sufficient to meet the needs of the power stations at maximum burn without disrupting supplies of other oil products. The companies expect therefore to draw on their international supply systems or the spot market. The CEGB would expect to enter into commitments with a three-week lead-time for ordering. Just over half of consumption at maximum oilburn is accounted for by large stations in the South East region normally supplied from the spot market. Oil to keep these stations at maximum oilburn should be available given an ordering time of 4-6 weeks. In both cases, these ordering times represent a forward commitment which would be likely to extend beyond the end of any emergency due to a miners' strike and which would have cost implications for the CEGB.

2.3 Gross costs of oil purchase by the CEGB might be about £50 million per week once the position had stabilised following the beginning of a miners' strike, assuming an HFO price of about \$200 per tonne (see paragraph 2.8 below). On these assumptions the net costs, taking into account the saving on coal,

would be about £20 million a week. If this were allowed to feed through the normal fuel price adjustment mechanism of the CEGB's bulk supply tariff, average electricity prices to monthly-billed industrial and large commercial consumers would increase by about 15 per cent. Quarterly-billed consumers, domestic and other commercial, would experience no immediate increase though the Area Electricity Boards would carry additional costs of £11 million a week above budget (equivalent to about 10 per cent of revenue from quarterly-billed consumers) which they might have to recover, depending on the Government's view, when tariffs were next adjusted. It might be possible to spread the extra cost of oilburn over a longer period than that of the period of the dispute; this would lessen the immediate impact on industrial consumers. It might of course be possible to avoid passing on all or part of the extra costs if the Government wished to reduce the impact on consumers and were willing to relax the ESI's financial target and EFL. Against this, it could be argued that there is no reason why consumers should not pay for costs incurred in maintaining their supplies; a temporary supplement of 10-15 per cent is likely to be seen as preferable to disconnections.

Stocks

2.4 At the beginning of a miners' strike the CEGB would expect to be holding stocks of over 1 million tonnes. In principle, this is roughly three weeks' consumption at maximum oilburn. But in practice the stocks are not evenly distributed in relation to maximum demand. Some stations hold more than three weeks' stocks, while others hold considerably less. This uneven distribution is illustrated in Table 1.

TABLE 1

Power Station	Source of Supply	Normal Winter Deliveries*	Maximum Consumption*	Usable stocks**
Ince	Refinery	-	35	85
Fawley	Refinery	20	70	10
Pembroke	Refinery	10-20	70	100
SE Region Stations	Spot market	-	190	800

* Thousand tonnes per week.

** Thousand tonnes

2.5 For maximum oilburn to be achieved rapidly, it might be necessary to take special action to fill gaps in stocks which could not be filled from normal sources, given the lead-times for resupply described above in paragraph 2.2. Such action might involve recourse to the spot market to fuel power stations usually supplied from linked refineries: that might be particularly expensive if it intensified the initial price reaction of the spot market to the abrupt increase in demand at the beginning of the emergency. The main possibility, however, would be to draw on strategic stocks which the oil companies are required by an EEC Directive to maintain equivalent to 76½ days normal consumption. In favourable circumstances, up to 25 days normal consumption of HFO - equivalent to 3-4 weeks maximum oilburn by the CEGB - might be available to the Board from this source. The role of the Government would be to authorise the oil companies to reduce their stocks by a specified amount below the level of their prescribed stocking obligations. This would need careful handling in view of the EEC commitment involved. It would then be for the CEGB to obtain the additional supplies from the oil companies within their normal relationship of client and supplier.

2.6 The purpose of these strategic stocks as a buffer against international crisis might limit their availability, however. The Government would have to take stock of international circumstances - in the Gulf, for example - before it decided whether to seek to release strategic stocks.

Reaction of the Market

2.7 The view of the Department of Energy is that there is in principle enough refining flexibility in the UK and overseas to meet the demand for extra HFO to maintain maximum oilburn. It is unlikely that the additional demand would have significant effects on the market for crude, where extra demand would be .35 million barrels per day, compared with UK production of 2.3 million barrels per day and OPEC output of 17.5 million barrels per day. At least over the next half year or so, such an increase in demand might actually help to counter underlying weaknesses in the market.

2.8 The effect on the HFO market merits more serious attention. Demand for HFO would tend to grow as a strike went on, as industries which were equipped to switch from coal to oil did so. This might increase eventual total UK demand for HFO by perhaps a further 60,000 tonnes per week; a significant

increase, though relatively modest compared with that arising from the CEGB's activities. Estimates of the effects of increased UK demand on HFO prices are inevitably speculative. Best available estimates are that a move to maximum oilburn might produce peak prices of up to \$250 a tonne, compared with \$180 at present; and that the price might stabilise somewhere between \$200 and \$230 a tonne.

2.9 The view of the Group was that, in spite of the likely price effects and assuming no major curtailment of supplies for external reasons, the market could be relied upon to meet any difference between the CEGB's needs for HFO and what the oil companies could supply from within their own systems. The world market is used to responding to changes in demand and, although an initial market adjustment could have unwelcome price effects, there is a world over-capacity at the moment for producing HFO.

2.10 The Group considered, however, that it was desirable to ensure if possible that excessive price effects were avoided. Not only could there be serious implications for bulk energy users, if high increases occurred and were passed on to consumers, but price increases in the HFO market might engender an atmosphere of crisis which would not be favourable to the Government's aims. At the cost of some flexibility, the use of one company as an agent for the acquisition of supplies for the Thameside power stations might help to mitigate price effects by avoiding competitive purchasing by a number of CEGB suppliers. The Board are discussing this possibility with Shell and others. A more effective measure might be a maximum price which the CEGB should stay below in buying HFO, though it is not possible to say precisely beforehand what that figure should be. Inevitably, a maximum price might have some effect on the ability of the CEGB to move immediately to maximum oilburn.

Phasing

2.11 Phasing the move to maximum oilburn could have some small effects on overall endurance, but would have advantages in addition to moderating the market effects. In particular, it could allow the CEGB and the oil companies to make the logistical and production arrangements necessary to maintain maximum burn in an orderly way at the outset of a strike. Phasing up to maximum burn over a period of one month would in theory involve the loss of about one week's endurance. This is, nevertheless, the CEGB's current planning assumption,

forming part of the Board's arrangements to achieve the objective of 6 months' endurance.

Conclusions

2.12 The Group concluded that it was likely to be worthwhile in the event of a miners' strike to phase the move to maximum oilburn over a period of up to one month, given the logistical and production advantages for the oil companies; the need to moderate so far as possible the impact of maximum oilburn on the HFO market; the relatively small cost in terms of endurance; and the likely scope for reducing that cost by beginning the move to maximum burn before a strike began. Decisions on the timing and phasing of oilburn would need to be taken in the light of levels of coal stocks; international circumstances and implications for the availability of strategic stocks of HFO; and the state of industrial relations in the coal industry and other industries where sympathetic action might be a possibility. The fullest consultation with and guidance to the CEEB would be essential on a wide range of matters, including the level of any maximum price for HFO within which the CEEB should operate and the timing of the move to maximum oilburn.

III. POSSIBLE ACTION ON STOCKS

The Options

3.1 The Group considered that the only effective options for action to enhance the ability of the Board to move and maintain maximum oilburn involved expansion of HFO stocks.

3.2 Action at short notice could fill gaps which might otherwise occur early on in a period of maximum oilburn because of the uneven distribution of CEGB stocks in relation to consumption. Two options considered by the Group were:

- a. filling storage at the Fawley refinery to provide 80,000 tonnes, equivalent to one week's consumption, at a cost of £10 million and with a lead-time of four weeks;
- b. oil purchases for early delivery to Thameside: 100,000 tonnes at a cost of £12 million with a lead-time of two weeks.

The CEGB have put action in hand on both these options.

IV. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

4.1 Maximum oilburn would involve an increase in CEEB consumption of HFO from a winter average of 60,000 tonnes per week to about 350,000 tonnes per week (Section I).

4.2 Market changes in recent years mean that there would be production and logistical difficulties for the CEEB's suppliers in a move to maximum oilburn, but there would be good prospects that oil to keep power stations at maximum burn should be available from normal sources given ordering times of 3-6 weeks (2.1 - 2.2).

4.3 Net costs of oilburn might be about £20 million a week and would lead to significant increases in bills if passed on to consumers (2.3).

4.4 Current CEEB stocks of heavy fuel oil are in principle equal to three weeks' consumption at maximum oilburn, but are not evenly distributed in relation to demand. To move rapidly to maximum oilburn it might be necessary either to draw on strategic stocks (which would have implications for EEC obligations), to have greater recourse to the spot market, or both. The availability of strategic stocks would depend on the international situation at the time (2.4 - 2.6).

4.5 Maximum oilburn would be unlikely to affect the market for crude oil. It would however be likely to increase the market price of HFO to a degree which could be significant but which would probably be tolerable. It would be desirable to ensure as far as possible that the effect on the market was not such as to produce excessive price effects or to engender an atmosphere of crisis which did not favour the Government's aims. Price effects would be reduced to some degree if one company was used by the CEEB as sole agent for the acquisition of supplies on the spot market. There would be a more significant impact on price effects if the CEEB were to stay below a specified maximum price in buying HFO. It would probably be desirable to move to maximum oilburn over a period of one month in order to minimise perturbation of the market (2.7 - 2.11).

4.6 The CEGB have in hand more limited short-term arrangements to fill early gaps in existing stocks by increasing storage at Fawley and by making purchases on the spot market for early delivery to Thameside power stations (3.1 - 3.2).

Recommendations

4.7 The Official Group

- i. concludes that, although it will be necessary to overcome some logistical and production problems, existing stocks and resupply arrangements are likely to allow maximum oilburn to be achieved rapidly;
- ii. recommends phasing the move to maximum oilburn over a period of up to one month to allow necessary logistical and production adjustments to be made in an orderly manner and to minimise market perturbation;
- iii. recommends that the Department of Energy
 - a. should pursue with the CEGB the advantages of using a single oil company as sole agent for purchases on the spot market during a miners' strike;
 - b. should discuss with the CEGB guidelines regarding the maximum price that the Board should pay for HFO.

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MISC 101(84)2

COPY NO

19

6 June 1984

CABINET

MINISTERIAL GROUP ON COAL

THE COAL DISPUTE

Note by the Secretaries

The attached minute dated 4 June from the Attorney General to the Prime Minister is circulated for the information of the Group.

Signed ROBERT ARMSTRONG
P L GREGSON
J A J BUDD
J F STOKER

Cabinet Office

6 June 1984

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PRIME MINISTER

COAL DISPUTE

As requested by Misc 101 I have carried out a review of:-

"any means of increasing the effectiveness of the enforcement of the criminal law to counter violence and intimidation; and the possible role of the civil law in restricting the effectiveness of the strike".

The Home Office, Department of Employment, Department of Energy and Scottish Departments were consulted but it has not been possible in the time available to obtain concurrence of their Secretaries of State in this report which is therefore submitted in my name only.

In considering the effectiveness of the criminal law we worked on the assumption that the principal objective, as always, must be the prevention of disorder (particularly, that which precludes or attempts to preclude citizens from going to work) and of the commission of criminal offences; the prosecution and punishment of offenders will play an important role in achieving this objective but they must be viewed essentially as means of law enforcement and not an end in their own right. Every situation is different and an assessment of what approach is likely to be most effective in terms of the maintenance of law and order can only be made by the police officer who is in operational command at the scene. When dealing with groups of people assembled on a large scale there will frequently be difficult judgments for the police to make on whether their effort is best devoted to the detection and prosecution of offences or to containing disorder and preventing it from building up further. Our review has therefore comprised an examination of all aspects of the law enforcement machine

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in order to identify any deficiencies which might impair the effectiveness of the police effort. For this purpose we commissioned official papers from the Home Office (Appendix 'A'), the Scottish Office and Crown Office jointly (Appendix 'B') and the Department of Employment (Appendix 'C'). We have also taken account of the information contained in the minute by the Lord Chancellor to the Prime Minister of 16 May 1984 (Appendix 'D'). For convenience our comments and conclusions are set out under 4 headings:- The adequacy of the criminal law; the adequacy of police powers; police action of a preventive nature; and prosecution as a means of enforcement.

We start with the general comment that, although the Home ^{Department's have} ~~Office has~~ overall responsibility for the criminal law, many aspects of the daily operation of the criminal justice system are managed at local level and are not easily susceptible to central influence, even if that were desirable. We should not lay ourselves open in any way to a charge of interfering with the administration of justice.

THE ADEQUACY OF THE CRIMINAL LAW

Neither Scottish nor English law confers any immunity upon those who offend the criminal law in the furtherance of an industrial dispute. Broadly speaking the scope of the law in either country is the same. The authorities in Scotland have the benefit of a rather wider judicial interpretation of the term "breach of the peace" but, in the present circumstances, this seems to have no practical significance.

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Page 2.

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We believe that in both jurisdictions the scope of the criminal law is sufficient to embrace all the mischiefs which have hitherto manifested themselves. An important procedural distinction exists between the common law offences relating to public order in Scotland and those in England and Wales. In Scotland these offences are triable either on indictment or summarily whereas the English offences of riot, unlawful assembly and affray are all purely indictable. The usefulness of offences of this nature lies in circumstances where a group of persons acting in concert have been responsible for violent and intimidating conduct but where there is little evidence as to which individuals were responsible for particular acts (eg a barrage of missiles) thus rendering individual prosecutions difficult or impossible. Unlawful assembly (defined as an assembly of 3 or more persons with intent to commit a crime by open force or with intent to carry out any common purpose in such a manner as to give firm and courageous persons in the neighbourhood reasonable grounds to apprehend a breach of the peace) has a particularly wide scope. In both jurisdictions prosecutions for these offences are regarded by the courts as appropriate only in relation to the most serious and violent disorder. Particularly in England where the purely indictable nature of the offence results in trial, often in a blaze of publicity, a substantial time after the offence; such prosecutions in the kind of situation which now faces us may merely create martyrs.

These difficulties are not peculiar to the present situation and the need for provisions covering conduct broadly equivalent to that covered by the offence of unlawful assembly but capable of being more readily invoked in cases

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of a less serious character and also being dealt with expeditiously in the magistrates court was recognised in the recommendations of the Law Commission in England with regard to offences against public order published on 25 October 1982 (Appendix 'E'). The relevant pages are annexed. It is recognised that any change in this area needs to be considered in the context of the law relating to public order as a whole and that in any event there seems to be no possibility of effecting primary legislation in the near future. It remains however a long term option relevant to situations of this nature generally. It must also be viewed in the context of the practical difficulties which arise in the context of attempts to make widespread arrests in circumstances of serious public disorder.

POLICE POWERS

There have been no suggestions that the police, either in England or in Scotland, lack the powers necessary to deal with the problems which the dispute in the mining industry has produced. Some controversy has been generated by the extensive use of the common law power of the police to stop people travelling to the scene of an actual or apprehended breach of the peace. The views which I expressed to the House in my Written Answer on 16 March were based upon the application of well-established principles of the common law to contemporary conditions. It is understood that a test case on this point will be *heard in early June in a magistrates court in Nottinghamshire and that, whatever the result of that hearing, the case will proceed on appeal to the Divisional Court. My officials are in touch with the prosecuting authorities in Nottinghamshire

* Today, I have learned.

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on an informal basis and are monitoring the situation. An adverse ruling by a senior court on the point of law involved would have serious implications for the effectiveness of police action and only controversial primary legislation could restore the position. For my part I am confident of our position as regards the issue of principle although a limited number of cases may occur in which the court concludes as an issue of fact that the circumstances surrounding the particular arrest did not justify the apprehension of the arresting officer of an immediate breach of the peace. Whilst such decisions would provide useful propaganda for the NUM they would not seriously affect the police effort. It is for consideration whether we should take contingency steps for the event of an adverse ruling on the central issue of law.

PREVENTIVE ENFORCEMENT OF THE LAW

There is no doubt that the police effort so far in the present dispute has achieved a greater degree of success than in any previous similar situation. The principal tasks for the police during the dispute have been to enable those who wish to go to work to do so and to police the picketing of other establishments to prevent disruption of the transportation of coal or other fuels. But the success in achieving these objectives has been costly both in financial terms and in terms of injuries sustained by police officers. The key to this success has been the deployment of thousands of additional police officers in the areas concerned. In England this has been achieved under the "Mutual Aid Scheme" provided for by s.14(1) of the Police Act 1964. Our information is that individual chief officers have not lacked the

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manpower which they have thought necessary and there is no impairment of the effectiveness of law enforcement arising from lack of resources.

A particular problem arising only in England has been the degree of intimidation suffered by families of minors who have continued to work. On 17 May the Home Secretary announced to the House of Commons a range of measures which individual chief officers have taken to assist in the prevention and detection of such acts. In essence the steps were the adaption of customary procedures for the prevention and detection of offences and identification of offenders to the particular circumstances prevailing. So far they appear to have been reasonably successful. No similar problem has come to notice in Scotland.

In spite of the factors indicated above, coupled with the recent increase in violence as demonstrated at Orgreave, at present we see no scope for increasing the effectiveness of the preventive police action.

PROSECUTION AS A MEANS OF ENFORCEMENT

This is the aspect of the present situation which requires most careful consideration. The major difficulty which always arises in large scale disturbances is in identifying the wrong doer. Evidential problems of this kind are almost insurmountable eg who threw the brick that fractured the picket's skull last week? Because prosecution is usually a sequel to arrest and detention, this must be taken into account by a police officer in a public disorder situation who must decide whether to seek to effect arrests or to contain the situation. Those considerations go beyond the

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Page 6.

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immediate situation for, once an arrest is effected and a prosecution initiated, there are further resource implications in the attendant administrative procedures, the preparation of evidence and the subsequent attendance of officers at court. The figures appended to the paper prepared by Home Office officials indicate that extensive use has been made of prosecution as a means of law enforcement although in terms of the overall situation the numbers remain quite modest. Account must also be taken of the extent to which police attitudes and prosecuting policy may themselves have implications for the maintenance of public order. We would therefore regard as a pre-requisite to any initiative (whether formal or informal) on the part of central Government cogent evidence that chief officers of police regarded the present situation as unsatisfactory and impairing the effectiveness of the police effort. At the present no such indications have been received.

The Government has no control over the decisions whether to prosecute or the offences to be charged. Equally the Government has no influence over the sentences passed. We understand that most of the sentences have been small fines (usually paid by the NUM).

There can be some assistance given to magistrates courts to help with a large list and the work of the Crown Court, which will try the more serious cases, can be adjusted to ease the backlog. We must also try to avoid long delays to cases unconnected with the dispute.

There may be some manning difficulties if the strike goes on and large numbers of police officers have to attend

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court as witnesses.

We are therefore agreed that the Government must not, in any way, seem to be interfering in the administration of justice. But local factors can be properly taken into account and assistance for the effective and speedy disposal of cases cannot be criticised.

THE ROLE OF CIVIL PROCEEDINGS

The paper prepared by officials of the Department of Employment summarises the relevant law. The strike itself is legal insofar as the members of the NUM are merely on strike and in this respect the civil law can offer no remedy. But the fact that a significant proportion of the miners have continued to work coupled with the two legal actions recently brought by working miners against their Union leaders makes it possible that, if the unlawful picketing of NCB premises by NUM members were terminated, some miners would return to work. This would undoubtedly render the strike less effective but to what extent cannot be predicted.

The NCB have already obtained an injunction against Yorkshire NUM and local hauliers have obtained two injunctions against Wales NUM. Neither injunction has been obeyed and there is no reason to suppose that further injunctions against other NUM areas would command greater respect. Further enforcement is by way of application by the NCB (or the hauliers) based on the NUM's contempt and, if successful, this would eventually lead to sequestration of union assets. There is no reason to doubt the ability of the court to effect sequestration but whether such action would result in

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Page 8

SECRET



compliance with the injunction would depend solely on the attitude of the Yorkshire NUM. Proceedings of this nature are intended for the protection of private rather than the wider public interests and hence any decision by the NCB as to enforcement of the injunction will depend upon its assessment of the likely reaction of the miners (and they have a far better understanding of this) and the likely impact on the possibility of a settlement. Misc 101 may wish to give consideration to whether civil proceedings would be likely to stop the secondary picketing, encourage more miners to return to work and bring a speedier end to the dispute. But it is finally for the NCB to judge the stage at which, if at all, the pressure which enforcement proceedings would bring to bear on the NUM would outweigh any damage to the prospects of a settlement. I understand that the chief constables consider that invoking the civil law at this stage will not help them in enforcing the criminal law.

SUMMARY OF CONCLUSIONS

1. The substantive criminal law is adequate but we should give further consideration to the creation in English law of a summary offence similar in scope to unlawful assembly.
2. Police powers appear adequate but it is for consideration whether contingency plans should be made for an adverse ruling on law as to the right of police to require those journeying to a picket to turn back.
3. There appear to be no further steps available to the police by way of preventive enforcement of the law.

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4. As regards prosecutions policy and the handling of cases by the courts, overt intervention by central Government would be inappropriate. Our proper role is to ensure that the responsible authorities have all the support they need to deal effectively with the situation in their area.
5. It is impossible to predict the likely effect of further civil proceedings on the industrial action. Whatever advice Government may give, the final decision is one for the NCB.

M.H.

LAW OFFICERS' DEPARTMENT

4 June 1984

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Page 10.

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INDUSTRIAL ACTION IN THE COAL INDUSTRY: THE USE OF THE CRIMINAL AND CIVIL LAW

NOTE BY THE HOME OFFICE

Introduction

The Attorney General has been asked by MISC 101 to review and report upon "any means of increasing the effectiveness of the enforcement of the criminal law to counter violence and intimidation; and the possible role of the civil law in restricting the effectiveness of the strike".

2. This note concerns the criminal law aspect of this remit, so far as England and Wales is concerned (a separate note is available on the position in Scotland).

3. Since it is the effectiveness of the enforcement of the criminal law which is under consideration, it is assumed that questions concerning extensions or amendments to the law are largely outside the remit. In any event, such questions are secondary to that of whether the present law is adequate or could, with more effective enforcement, be made so; and, even if the review were to conclude that changes in the law were desirable, there appears to be no possibility of effecting them within a relevant time-scale. Accordingly, this note deals only with the law as it stands, except to mention the following. First, a review of the Public Order Act 1936 and related legislation is looking at whether the current law strikes the right balance between the right to demonstrate and the rights and freedoms of others who may be affected by demonstrations. Work on the review is being expedited following the Libyan Embassy incident, but it is not possible to predict precisely when it will be completed. Secondly, an inter-departmental review is studying areas of the law relative to terrorism and incitement to terrorist activity, to see if there

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- 2 -

are ways in which the treatment of incitement or other offences might be made more effective.

4. Hereafter, therefore, this note is divided into three parts: the present criminal law as it appears relevant to the subject under discussion; the action taken to enforce it, including prosecutions (this seems to be the major question for consideration); and, for completeness, some material on how cases have so far been handled by the courts.

The present criminal law

5. The basic principle is that the fact that a trade dispute is in progress confers no exemption from any of the normal provisions of the criminal law. A very wide range of offences is liable on occasion to be breached by picket strikers or others as a means of increasing the effectiveness of industrial action, or in connection with it (for example, the figures which the police have provided show a number of charges of burglary and theft). The offences principally under consideration, however, can be grouped into (i) violence against the person and intimidation; (ii) obstruction and (iii) "public order" offences.

6. Any unlawful infliction of violence against the person is a criminal offence either under the Offences against the Person Act 1861 or at common law, or both. At common law, it is an offence to commit an affray (an unlawful physical assault involving such a degree of violence that persons of reasonable firm character are likely to be terrified). There are special provisions for protecting police officers: section 38 of the 1861 Act makes it an offence to assault with intent to resist arrest, and assault upon a constable is an offence under section 51 of the Police Act 1964.

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SECRET

- 3 -

7. As to intimidation, it is an offence to threaten to murder; to use or threaten violence to secure entry to premises; to use threatening or abusive words or behaviour with intent to provoke a breach of the peace; to utter menaces over the telephone; and to threaten to damage or destroy property.

8. Section 7 of the Conspiracy and Protection of Property Act 1875 makes it an offence, with a view to compelling a person to do any act which he has a legal right to abstain from doing, or to abstain from doing anything which he has a right to do, to intimidate him or his wife or children; to persistently follow him about; to hide his tools or clothes; or to "watch or beset" his house, place of work, etc.

9. Offences of obstruction may not of themselves amount to violence or intimidation, but may be the means by which violence or intimidation come to be exerted. It is an offence wilfully to obstruct a constable in the execution of his duty, wilfully to obstruct free passage of the highway and wilfully to cause an obstruction in any public footpath or thoroughfare.

10. The remaining common law "public order" offences are of unlawful assembly (defined as an assembly of three or more persons with intent to commit a crime by open force or with intent to carry out any common purpose in such a manner as to give firm and courageous persons in the neighbourhood reasonable grounds to apprehend a breach of the peace) and riot (defined as a tumultuous disturbance of the peace by three or more persons who assemble with intent to assist one another against any who oppose them in an enterprise and to execute the enterprise in a violent and turbulent manner).

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11. Although it is not an offence in itself simply to commit a breach of the peace, a constable may arrest someone who is doing so or who reasonable apprehends may do so, and a court may bind a person over to keep the peace.

12. Incitement to commit an offence is, by common law, an offence in itself. It is committed by anyone who threatens, encourages, induces, requests or exhorts someone else to commit a criminal offence. The persuasion may be implicit or explicit, oral or in writing. (Should the other person assent to the plan in question, however, a charge of conspiracy may be more appropriate.)

13. The conclusion which seems to emerge from the summary above is that probably anything which ought to be a criminal offence is so. Certainly, the most obvious manifestations of violence and intimidation are well covered, in some instances to the extent of duplication. No suggestion has been made by the police that there is any need for further criminal offences to be created.

14. Limitations on the effectiveness of the enforcement of the law are thus likely to arise not so much from the extent to which objectionable behaviour amounts to a criminal offence, or from the way in which offences are drawn, as from the difficulties (which affect the prosecution of criminal offences to greater or less degree) of apprehending the offenders and of gaining evidence that will stand up in Court. In some cases the difficulty may be that of being certain, in a mêlée, of the identity of an offender; in others, such as of criminal damage to a "blackletter" home or telephone threats, the difficulty will lie in ascertaining

SECRET

- 5 -

was responsible or of persuading the victim to confide his suspicions. There may be difficulty, even when it is clear what someone has done, in proving the intent necessary for the establishment of an offence. Above all, however, in dealing with groups of people assembled on a large scale, there will be difficult judgments for the police to make on whether their effort is best concentrated on the detection and prosecution of offences or to containing disorder and preventing it from building up further.

The policing operation: context, scale, powers, arrests, offences and procedure

15. The principal task for the police during the dispute has been to enable those who wish to work (primarily miners in Nottinghamshire, Derbyshire, Staffordshire, Leicestershire, Warwickshire and in Lancashire, where the pits come within either the Greater Manchester or Merseyside force areas) to do so. Broadly, this has involved either preventing would-be pickets from reaching pits, or deploying sufficient officers at pits to prevent pickets blocking the way to working miners. The scale and character of the picketing have varied from place to place and from day to day. On most days, the highest number of pickets at any one site has been below 1,000, although on one day, at Haworth colliery, there were an estimated 10,000 outside the pit or in the local village. There are also commitments to the policing of picketing at non-colliery sites (eg wharves and ports through which coal or oil is being imported) and in respect of intimidation in mining towns (which is dealt with more fully below). There has also been a number of major demonstrations organised by the NUM, in, for example, Sheffield and Nottinghamshire. On 14 May, upwards of 12,000 supporters of strike action took part in a march and

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rally in Mansfield. Between 2,000 and 3,000 did not attend the rally, but went drinking. In the afternoon, numbers of them attacked local inhabitants, property and the police. Of those arrested, 57 have been charged with riot.

16. The scale of the policing operation has been considerable. Section 14(1) of the Police Act 1964 provides that one chief officer of police may, on the application of another, provide him with constables or other assistance "for enabling the other force to meet any special demands on its resources". This assistance is known as "mutual aid". Since the dispute began, all forces in England and Wales without working pits in their areas have provided aid to the chief officers of areas with pits. The aid is provided in police support units (PSUs), each of 23 men. In the first week of the dispute a total of 424 PSUs (ie some 9,700 mutual aid officers) were deployed in Nottinghamshire alone, in addition to local officers. Up to 18 May, 10,971 mutual aid PSUs (252,000 officers) had been deployed in total. In recent weeks, the average daily mutual aid deployment has been about 190 PSUs (about 4,000 men). The numbers and duties of officers to be deployed on any particular operation are matters for the chief officer of the area concerned (on arrival, mutual aid officers come under the command of the local chief officer). But the meeting of requests for aid has been facilitated by the National Reporting Centre (a clearing house for requests, headed by the President of the Association of Chief Police Officers) and there is no general indication that individual chief officers have lacked the manpower which they have thought necessary. This may be pertinent, to the extent that the effective enforcement of the law depends on the availability of adequate police resources.

Police powers

17. As far as the Home Office are aware, and subject to the points made in paragraph 14 above, the police are employing the powers of prevention, arrest and prosecution available to them. In particular - and this has given rise to some controversy - some chief officers, notably the Chief Constable of Nottinghamshire, have made extensive use of the common law power of the police to stop people travelling to the scene of an actual or apprehended breach of the peace. Attached is a copy of a Written Answer on 16 March in which the Attorney General explained the nature of that power in the picketing context. The use of this power is a matter for the police, but the Home Office is satisfied that chief officers generally are aware of it. There is no evidence on which to doubt that they are also aware of any other powers which may prove relevant, although, of course, a policing operation on the current scale may identify problems (and confusions, if not excesses) which may take time to emerge.

Intimidation

18. Much publicity has been given to alleged acts of intimidation against miners who are working, their wives and families, and against their homes and other property. On 17 May, the Home Secretary told the House of Commons of a range of measures which individual chief officers had taken and were developing to try to assist in the prevention and detection of such acts. Various, these measures include increasing the number of officers deployed in towns and villages which have been the scene of offences, including plain clothes officers, together with members of the Special Constabulary (who know the local people and areas well); turning back people who might be likely to commit offences; liaison with leaders in the communities, including local miners' leaders, to encourage the reporting of and other information about acts of intimidation; emphasizing the willingness and

capacity of the police to assist in their prevention, or to apprehend and prosecute offenders; and local publicity for the potential police involvement and role.

Other police procedures

19. It is primarily for the police to adapt their customary procedures for the prevention and detection of offences and the identification and prosecution of offenders as may be necessary in the particular circumstances prevailing. The Home Office has not conducted a general survey of these matters among chief officers, but some incidental information is available. For example, at least one force has a streamlined arrest procedure, under which people arrested are held in a large police vehicle which leaves the scene only when it is full, and an 'instant' photograph is taken, on the spot, of each arresting officer and the person arrested. This economises on vehicle use and, because the arresting officer does not have to leave the scene of the operation, on police manpower. In addition, at least one force has produced, with legal advice, a standard opening statement introduced in support of a prosecution dealing with the failure of a person to comply with a request to discontinue his journey (whilst the arresting officer has discretion whether to use the standard form of words, its provision has been criticised by the Parliamentary Opposition, and in the Police Federation magazine). Perhaps inevitable in operations on the current scale, which have their own novelty, there is the suggestion of some raggedness at the edges. For example, there were allegations that in March a number of miners detained on a particular day at Mansfield police station were asked 'political' questions, e.g. whether

SECRET

- 9 -

they had voted for Mr Scargill in the election for the Presidency of the NUM, or how they would vote at a General Election at which the only candidates were of the Conservative and Communist parties. These allegations are now the subject of a formal complaint against the police which is being investigated under section 49 of the Police Act 1964. But it is the case that, early in the dispute, interviewing officers of the force concerned were provided with a standard list of questions, one of which was "Are you a member of any political organisation?" The Chief Constable has acknowledged that this was unfortunate. Its purpose was to assist in filling out information about the organisation of picketing, and the motivation of those involved. It seems to have been a bad example of a generally good police practice, viz the gathering of information to enhance preventive operations.

Arrests and charges

20. From 14 March to 20 May inclusive, there were 2,431 arrests in England and Wales in relation to events connected with the dispute. Table 1, attached, shows the numbers of arrests and charges by police force area. Table 2 shows the numbers of charges brought for particular offences.

Conclusion

21. In summary, it does not seem evident that the police are lacking in essential resources, are unaware of their powers or of relevant offences, are failing to adapt to the circumstances or are lacking in investigative initiative. The general line on allegations that the police have exceeded their powers, or have otherwise misbehaved, is that it is open to anyone to make a formal complaint, which will be investigated under the statutory procedures under section 49 of the Police Act 1964 and the Police Act 1976,

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and that action by the police may also be challenged in the courts.

The handling of cases by the courts

22. Police reports indicate that, from 14 March to 20 May inclusive, 332 cases had been dealt with by the courts. 20 of the defendants were found not guilty. Table 3 summarises the penalties imposed in the remaining cases. It is, of course, possible that the more serious cases are generally taking longer to come on and thus that the penalties so far awarded may not prove wholly typical.

23. Enquiries of the courts suggest that there are, for example, something approaching 1500 cases now awaiting proceedings in magistrates' courts in Nottinghamshire. A survey of the position in the 4 magistrates' courts most closely concerned indicates, however, that they appear at present to be coping with the extra weight of cases: they report that the length of time for which a person pleading "not guilty" must wait before trial is longer than is normal in those areas, or elsewhere. Extra courts have been held. It is open to the benches concerned to seek the temporary appointment of a stipendiary magistrate to assist in coping with the current workload. The approach would be made to the Lord Chancellor and the most hard-pressed courts have been especially reminded by the Lord Chancellor's Department of this possibility. It would not seem appropriate to suggest to the courts that they give particular priority to cases arising from picketing activity. Such cases could, of course, be expedited only at the expense of other cases awaiting a hearing, many of which may be thought as deserving of early conclusion as the cases involving pickets.

24. The overwhelming majority of pickets charged and brought before the court are being remanded on bail. The Bail Act 1976 permits a court when granting bail to impose conditions designed to ensure that the accused

SECRET

- 11 -

surrenders for trial, that he does not commit an offence while on bail and that he does not obstruct the course of justice. The most recent general condition being attached by, for example, Mansfield magistrates' court is "that [the defendant] shall not visit any premises or place for the purposes of picketing or demonstrating in connection with the current trade dispute between the National Union of Mineworkers and the National Coal Board otherwise than to peacefully picket or demonstrate at his usual place of employment". Recent newspaper reports suggest that more restrictive conditions, including ones of reporting to the police, residence at normal place of abode and overnight curfew, have been applied in cases where very serious charges have been laid against individual pickets.

Home Office
50 Queen Anne's Gate
London SW1

Written Answers to Questions

Friday 16 March 1984

ATTORNEY-GENERAL

Picketing (Criminal Law)

Mr. Steen asked the Attorney-General whether, in view of the recent activities of pickets, he will make a statement on the criminal law on picketing.

The Attorney-General: The statement that I made to the House on 19 February 1980 still applies in all its essentials, though there have, since that date, been certain changes in the relevant civil law which I shall explain later in this answer.

So far as the criminal law is concerned, the position is, as it always has been, that the criminal law of the land applies to pickets as it does to anybody else. Picketing is permissible, in terms of criminal law, only if it is peaceful picketing, that is to say, it is carried out for the purpose of peacefully obtaining or communicating information or peacefully persuading another person to work or not to work. The freedom to picket is not a licence to obstruct or intimidate.

This reflects the fundamental proposition of our law that each of us has the right to go about his daily work free from interference by anybody else. Each one of us is free, as an individual, to come and go as he pleases to his place of work. The law specifically protects our enjoyment of this right. If any one tries to deter us from exercising it by violence or intimidation or obstruction, he is breaking the law and may be punished. The freedom to picket does not confer or imply any right to stop vehicles: still less do pickets have the right to stop people going about their lawful business. Pickets have no right to link arms or otherwise prevent access to the place that they are picketing.

If pickets by sheer numbers seek to stop people going to work, they are not protected by the law since their purpose is to obstruct rather than persuade. The courts have recognised that the police may limit the number of pickets in any one place where they have reasonable cause to fear a breach of the peace. This may involve not only asking some of those present to leave but also preventing others from joining the pickets. In this connection, the code of practice which was issued under the Employment Act 1980, with the approval of both Houses of Parliament, indicates that in general the numbers of pickets should not exceed six at any entrance to a workplace. The 1980 Act itself provides that the provisions of the code of practice may be taken into account in proceedings before a court.

It is, of course, primarily the duty of the police to uphold and enforce the criminal law. It is for them to decide, consistently with that duty, what action any particular situation requires them to take. But there is no doubt that if a constable reasonably comes to the conclusion that persons are travelling for the purpose of taking part in a picket in circumstances where there is

likely to be a breach of the peace, he has the power at common law to call upon them not to continue their journey and to call upon their driver to take them no further. Any person who fails to comply with a police request in those circumstances will be committing the offence of obstructing a police officer in the course of his duty.

Turning now from the criminal to the civil law, it is and always has been a civil wrong to persuade someone to break his contract of employment or to secure the breaking of a commercial contract. However, the Trade Union and Labour Relations Act 1974, as amended, gives immunity from liability in respect of such a civil wrong to pickets who are acting in contemplation or furtherance of a trade dispute. But, since the Employment Act 1980, this immunity operates only for the benefit of a person who is attending a picket at or near his own place of work or for the benefit of a trade union official attending a picket at or near the place of work of a union member whom he is accompanying and whom he represents; and in either case only if the purpose of the picket is peacefully to obtain or communicate information or peacefully to persuade any person to work or not to work. Since the Employment Act 1982, trade unions themselves may be held liable for organising picketing which involves the commission of a civil wrong.

I hope that this re-statement of the legal position, which the Lord Advocate agrees reflects the main principles of the law of Scotland also, will serve to remove any doubts that might remain in any quarter about the strict limits within which pickets may seek to press their views on their fellow-citizens. As I said in my earlier statement to the House, it is the function of the law to protect the right of every person to make his own decision, free from violence or any other form of intimidation, on whether or not to work. The law permits no interference with that right and recognises no privilege or immunity vested in any person, merely because he is engaged in picketing, to act in a way which constitutes a criminal offence. That has always been the law and I am sure that those responsible for enforcing it will have the support and encouragement of the vast majority of the people of this country in ensuring that it is indeed enforced vigorously and without fear or favour.

TABLE 1

ARRESTS AND CHARGES IN RELATION TO THE MINERS' DISPUTE, 14 MARCH TO 20 MAY 1974

<u>Police force area</u>	<u>Number of arrests</u>	<u>Number charged</u>
Cleveland	5	5
Derbyshire	221	212
Durham	133	132
Essex	205	157
Greater Manchester	16	15
Hampshire	7	7
Humberside	3	2
Kent	48	47
Lancashire	8	4
Leicestershire	29	23
Merseyside	41	39
Northumbria	40	40
North Wales	14	13
Nottinghamshire	1143	1051
South Wales	60	60
South Yorkshire	180	176
Staffordshire	189	134
Warwickshire	83	68
West Yorkshire	6	2
<hr/>	<hr/>	<hr/>
TOTALS	2431	2187
<hr/>	<hr/>	<hr/>

Note: The cases where no charges have been brought are accounted for by arrests for breach of the peace which is not, of itself, an offence (though the arrested person can be brought before the courts to be bound over to keep the peace); cautions; people released on police bail prior to a charge being brought at a later stage; cases where the police will proceed later via summons; and cases where the station

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officer considering the evidence of the arresting officer has
decided that no charge should be brought.

CHARGES (ENGLAND AND WALES) 14 MARCH TO 20 MAY 1984

<u>Offence</u>	<u>Number of charges brought</u>
Riot	57
Section 5 of the Public Order Act 1936 (behaviour conducive to a breach of the peace)	1081
Obstruction of a police constable	794
Obstruction of the highway	337
Criminal damage	97
Assault on a police officer	94
Assault occasioning actual bodily harm	48
Grievous bodily harm	3
Theft	52
Resisting arrest	8
Offensive weapons	6
Conspiracy and Protection of Property Act	6
Burglary	1
Handling stolen property	1
Drug offence	1
Breach of the peace (cases where the arrested person is to be brought before the court to be bound over)	13
Breach of bail conditions	4
Attempted criminal damage	3
Other offences	29
	—
	2635
	—

Note: The fact that this Table shows more charges than people charged in Table 1 is accounted for by cases involving more than one charge against an individual.

TABLE 3PENALTIES IMPOSED BY COURTS IN CASES OF DEFENDANTS FOUND GUILTY,
14 MARCH TO 20 MAY 1984

<u>Sentence</u>	<u>Number of persons sentenced</u>
Fines: Under £10	3
£10 - £24	33
£25 - £49	2
£50 - £74	68
£100 - £149	14
£150 - £199	22
£200 and above	20
No figure available	93
Bound over to keep the peace	139

Note: The total of the penalties imposed exceeds the number of persons who have been found guilty (see paragraph 22 of the paper).

Some of the persons fined were also bound over to keep the peace.

Appendix 'B'

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INDUSTRIAL ACTION IN THE COAL INDUSTRY - WORKING GROUP ON THE
USE OF THE CRIMINAL AND CIVIL LAW

NOTE BY THE SCOTTISH HOME AND HEALTH DEPARTMENT AND CROWN
OFFICE

INTRODUCTION

1. This note concerns the Scottish criminal law aspect of the Working Group's remit. It deals with the position in Scotland under approximately the same heads as the note by the Home Office.

THE PRESENT CRIMINAL LAW

2. In Scotland, as in England, the basic principle is that the fact that an industrial dispute is in progress does not confer any privilege or immunity in relation to the application and operation of the criminal law.

3. The range of criminal offences available to deal with objectionable conduct in the course of industrial picketing is substantial and is considered to be sufficient. It includes such common law offences as mobbing and rioting, assault (aggravated or simple), threats, malicious damage, and breach of the peace; and such statutory offences as possession of an offensive weapon (contrary to the Prevention of Crime Act 1953 Section 1), vandalism (contrary to the Criminal Justice (Scotland) Act 1980 Section 78), criminal trespass (contrary to the Trespass (Scotland) Act 1865 Section 3), and obstructing a police constable in the execution of his duty (contrary to the Police (Scotland) Act 1967 Section 41). Section 7 of the Conspiracy and Protection of Property Act 1875 is also available.

4. Description of all the above-mentioned offences is considered unnecessary but reference to certain of them may be relevant.

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5. Mobbing is the assembly of a number of people acting together for a common purpose which is illegal, or which is to be achieved in an illegal manner, to the alarm of the lieges. According to the author of one standard textbook on Scottish criminal law, cases of mobbing "generally present features of violence and criminality of heinous description, but the crime is complete wherever there are concourse, illegal combination, and the production of alarm". This offence has recently been little used - partly at least as a result of a High Court decision in an appeal case in 1981. But the offence is available, and may be apt, to deal with the most serious disturbances at a picket line. There is some authority for the proposition that mobbing may also be committed before the mob have begun to carry out their purpose of tumult or intimidation, the crime being completed once the mob have assembled in order to carry out their illegal purpose, or at least as soon as they have begun to make their way to the place where they intend to carry it out, even if they are intercepted and prevented from creating any disturbance, or give up their purpose on finding unexpected difficulties in the way of its fulfilment. It is doubted, however, whether the Courts in Scotland would approve the use of the offence to deal with persons travelling to join a mass picket, unless the actings of those persons were in themselves sufficiently tumultuous and intimidating to constitute mobbing without reference to the mass picket. It is not envisaged that proceedings for this offence would be undertaken by the Crown in the present situation except to deal with extreme cases.

6. Breach of the peace and obstruction of police constables in the execution of their duty (contrary to Section 41 of the Police (Scotland) Act 1967) are the offences most likely to be of use in dealing with mass picketing. In the incidents with which the police have had to deal to date these have been the offences most commonly charged by the police and proceeded with by procurators fiscal. A breach of the peace is a public disturbance, such as brawling or fighting in public,

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shouting and swearing in the street, or any general tumult or interference with the peace of a neighbourhood. The High Court in Scotland has fairly recently held that there is no limit to the kind of conduct which may give rise to a charge of breach of the peace. All that is required is that there must be some conduct such as to excite the reasonable apprehension that trouble might ensue, or such as to create disturbance and alarm to the lieges in fact. Conduct which appears calculated to provoke an actual disturbance of the peace itself constitutes the crime of breach of the peace. The actions of mass pickets will often constitute a breach of the peace. So far as the Police (Scotland) Act offence is concerned, obstruction of police officers in the execution of their duty may require an element of physical obstruction. This would seem to be a likely element of the behaviour of pickets (actual or intending) in the present circumstances, however.

7. Section 7 of the Conspiracy and Protection of Property Act 1875 has been used on two occasions in recent years in Scotland to deal with strike picketing activities. In one case a conviction was obtained and upheld on appeal in a case concerning persistent following of civil servants carrying out their official duties by other civil servants who were on strike. In the other case the Crown successfully appealed against a decision of a Sheriff acquitting five accused persons who had occupied an Area Health Board Laboratory in the course of a strike and prevented medical staff from entering and using the laboratory. The Court held that the Sheriff's acquittal of the accused proceeded on an error of law since it was based on the incorrect view that Section 13 of the Trade Union and Labour Relations Act 1974 conferred immunity from prosecution in the circumstances in question. The Court held that the Section provided protection only against civil suits and not against prosecution for acts which are in themselves criminal or wrongful acts which form the essential ingredients of a criminal offence. The Section 7 offence is considered to be most apt for use in situations where the use of such common law offences as assault, mobbing and rioting, and breach of the peace is doubtful - for example, where there is harassment but no violence or intimidation, or occupation of premises but no

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disturbance of the peace. The offence is therefore considered to be something of a fall-back and its use is unlikely to be considered necessary or appropriate in the present circumstances.

8. As in England limitations on the effectiveness of the enforcement of the law are likely to arise from evidential problems, rather than because of the lack of appropriate offences. Reports received by procurators fiscal to date do not suggest serious evidential problems in relation to incidents at the actual scene of picketing. Cases involving the stopping of miners en route to join a mass picket may present such problems, for example in relation to proof of their destination and intentions. However, the first such case which has been reported by the police appears to be fairly strong and the prospects of successful prosecution are considered to be reasonably good. Another such case which is currently under consideration may present greater difficulty.

9. So far as the form of proceedings which may be taken is concerned, all common law offences may be prosecuted either by summary complaint or on indictment in Scotland. This includes breach of the peace. Statutory offences such as obstructing the police (contrary to Section 41 of the Police (Scotland) Act 1967) are summary offences but may be prosecuted on indictment along with another offence in respect of which indictment proceedings are competent (under the Criminal Justice (Scotland) Act 1980 Section 8). This allows a degree of flexibility in relation to the decisions as to the offence or offences to be prosecuted. The decision as to the offence with which the accused person is charged at the time of the incident is a decision for the police, of course, but it is for the procurator fiscal or Crown Counsel to decide on the appropriate offence for criminal proceedings.

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THE POLICING OPERATION

10. As in England, the principal task for the police during the dispute, especially in its early stages, was to enable those who wished to go to work to do so: at a later stage, and after there had been a general close-down of work at collieries, the main task became keeping the way clear for the passage of lorries carrying coal from Hunterston to Ravenscraig. In carrying out their task, as the Secretary of State has recently emphasised to a deputation of Scottish Labour Members of Parliament, the police have been entirely impartial: their concern - and duty - is confined to upholding the law and preserving public order. Chief Constables are not subject to instructions from Ministers, and none have been given to them.

11. The main difference between the police operation in Scotland and that in England and Wales has been the absence of any requirement for mutual aid, and, therefore, the absence of any requirement for day-to-day co-ordination on the model of the (England and Wales) National Reporting Centre.

12. As in England and Wales, the scale and character of the picketing have varied from place to place and from day to day. Until early May, picketing at collieries and elsewhere, including power stations, opencast coal sites and some industrial premises, was relatively light. There followed a short period of mass picketing of the Ravenscraig steel mill and the Hunterston terminal, in response to which upwards of 1,300 police officers belonging to the Strathclyde force were deployed. With the resumption of rail deliveries to Ravenscraig this has again dropped to token levels. Between 14 March and 17 May a total of 514 arrests were made. Action has been taken, where appropriate, to stop busloads of miners travelling to the scene of picketing, and bus operators were warned that they might be breaking the law and of the possible consequences.

Police Powers

13. The power of the police to stop miners travelling to the scene of a mass picket where a breach of the peace is occurring or is likely to occur has yet to be tested in the courts. Authority for such police action may be found in the statutory duty imposed on the police under Section 17 of the Police (Scotland) Act 1967 to "guard, patrol and watch so as to prevent the commission of offences, to preserve order, and to protect life and property". Proceedings are likely to be instructed shortly in the first case reported to procurators fiscal involving the stopping of a bus by the police and the subsequent alleged obstruction of the police by the persons who had been travelling on the bus. As noted above, the Crown is reasonably confident as to the successful outcome of such proceedings but is more doubtful (on the basis of the information presently available) as to the other case which has been recently reported involving the stopping of a number of buses a considerable distance from the mass picket which was their apparent destination.

14. As far as the Scottish Office are aware, the police are employing their available powers fully but prudently; and, in particular, they have taken account of the Written Answer on 16 March in which the Lord Advocate lent his support to the Attorney General's explanation of the nature of the police powers in the picketing context.

Intimidation

15. There have been no formal complaints of acts of intimidation against miners who are working (for example on safety duties), their wives and families. It has therefore been unnecessary to mount special protection arrangements of the kind announced by the Home Secretary in the House on 17 May.

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16. In short, the Scottish police lack neither the necessary resources nor powers to deal with the problems which the dispute in the mining industry has produced.

The Handling of Cases by the Courts

17. The volume of cases which has so far required to be dealt with in Scotland has not yet caused any disruption to normal court timetables. As in England, pleas of not guilty have been tendered in almost all the cases which have so far called in court. Proceedings in the Sheriff Court have been considered appropriate, rather than in the District Court. Trials have been fixed in the picketing cases in just the same way as in the other cases going through the courts at the same time - that is, in late August/September for bail cases. One case in which the accused was remanded in custody has already been disposed of - after a trial which lasted for a full day and resulted in conviction on a charge of breach of the peace and a fine of £80. Custody cases require to be brought to trial within 40 days from first appearance in court, but almost all the cases are, and are likely to be, bail cases. An extra condition additional to the conditions imposed under the Bail etc (Scotland) Act 1980 has been imposed as a standard practice, requiring the accused to agree to stay away from the scene of mass picketing. It has not yet proved necessary to operate special courts, for example on Saturdays, or to use additional temporary Sheriffs. Some assistance from temporary Sheriffs may be necessary in due course to deal with trials.

SHHD
Crown Office
May 1984

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THE CIVIL LAW AND THE MINERS DISPUTEThe Strike

1. The strike of NUM members itself (and the national overtime ban which preceded it and is still in force) is lawful because it is primary action undertaken in furtherance of a dispute between NUM members and their employer and is "wholly or mainly" about the "terms and conditions of employment" - ie jobs and pay - of the strikers themselves (s.29 of the 1974 Act as amended by s.18 of the Employment Act 1982 provides the definition of "trade dispute"). No civil proceedings could therefore be taken against the union or its officials on the grounds that the strike is unlawful by the NCB or by customers - such as the CEGB - who cannot obtain coal simply because it is not being mined. The strikers themselves have, however, inevitably broken their contracts of employment and are subject to dismissal without any legal redress or compensation under statute or common law.

2. It is a different question whether the actions taken by the NUM and its Areas - which are separate trade unions - in the course of the dispute are in accordance with union rules. Union rules constitute a contract between the members and their union and if the executive breaks the rules it can be challenged in the same way as any other breach of contract (ie without any reference to statute law). Two injunctions have been granted to union members on these grounds. The first concerns the 5 year suspension from membership of members of the North West Area for ignoring union instructions not to cross picket lines. The second concerns a purported official strike call and instructions not to cross picket lines in the Nottingham Area (which have been largely ignored in practice) and is also, no doubt intended to prevent working miners being disciplined by their union. The first of these injunctions is now the subject of an appeal and both cases are due to go to a full hearing in due

S E C R E T

course. Given the sometimes unclear drafting of union rules, the outcome of such cases can never be foreseen with certainty but there seems a strong likelihood that the NUM Areas concerned will be found to have acted in conflict with their rules. More importantly, the injunctions stand until a court decides otherwise. There is also the - probably remote - possibility of contempt proceedings, if (eg) the North West Area persists with its suspension of members.

3. The immediate effect of the injunctions will be to strengthen the determination of those NUM members who have defied union "instructions" and continued to cross picket lines and work. The fact - if it so proves - that the NUM leadership have broken the rules is likely to help to foster the view of other miners that they have been manipulated into a strike. The willingness of disaffected NUM members to challenge their leaders in the courts undoubtedly indicates how deep the divisions within the union have become.

The picketing

4. The vast majority of picketing by NUM members is and has been unlawful by virtue of s.16 of the Employment Act 1980 because it has been taking place away from the pickets' own place of work - at other pits, steelworks or the docks. On these grounds injunctions have already been granted to the NCB against the Yorkshire NUM and to 2 firms of coal hauliers against the South Wales NUM (by virtue of s.15 of the 1982 Act). Although in both cases picketing continued, contempt proceedings were not instituted. The funds of the NUM Areas concerned in organising unlawful picketing and - since the "special conference" on 19 April - probably also the funds of the NUM nationally remain at risk to these and other possible civil proceedings.

S E C R E T

Other secondary industrial action connected with the dispute

5. Industrial action by employees outside the mining industry (eg railway workers refusing to move coal) is unlawful secondary action by virtue of s.17 of the 1980 Act) unless the employers of the employees concerned have existing contracts with the NCB and the action is aimed directly at disrupting the performance of those contracts. In fact it is understood that contracts for the carriage of coal are normally between British Rail and the customer (eg CEGB) rather than the supplier (NCB). It seems probable, therefore, that industrial action to prevent the movement of NCB coal is unlawful. Any action to stop imported coal is almost certainly unlawful secondary action. The regional "days of action" in support of the miners strike are also likely to constitute unlawful secondary action. Given the public expressions of support from the leaders of the unions' concerned for such secondary action as there has been, there is little doubt that the funds of the unions concerned (eg ASLEF) are at risk.

Remedies

6. Any person or firm suffering or threatened with economic loss as a result of unlawful interference by a union or its officials with a commercial contract to which he is a party - eg any customer or supplier of the NCB or anyone whose goods are "blackened" or whose employees are induced to break their employment contracts by unlawful picketing - is likely to have a cause of action. His remedy is to sue the union and/or its officials for an injunction and damages. If a union defies an injunction it is likely to have its assets sequestered (in itself a costly process for the union) until it satisfies the court that it has abandoned the use of unlawful industrial action. There is always the risk that individual union officials will be able to attract penalties by personal acts of contempt but the process of sequestration (which has been

S E C R E T

proved to be effective) avoids the problems of identifying individuals who are acting unlawfully (eg pickets and picket organisers) and the need to pursue particular union officials who may be both "men of straw" and willing "martyrs".

7. The fact that despite the unlawful nature of much of the industrial action, few employers have made use of the civil law remedies available to them in this dispute may well reflect the tactical judgements they have made and the ineffectiveness of the NUM's efforts to prevent the movement of imported coal and of the coal which is still being mined in Nottinghamshire and elsewhere.

FROM: Appendix D

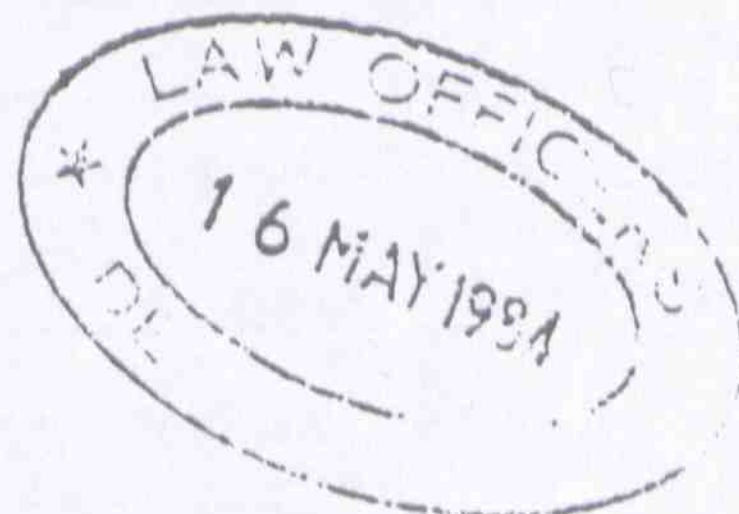
THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.



HOUSE OF LORDS,
SW1A 0PW

CONFIDENTIAL

Prime Minister



I understand that as a result of a recent Ministerial meeting, you would like information about the manner in which magistrates' courts in Nottinghamshire are dealing with defendants brought before them charged with offences arising out of picketing. I have made enquiries. The position, as at noon yesterday, was as follows.

Mansfield Petty Sessional Division has been used as "the clearing house", and all defendants in police custody are brought to that courthouse. So far 881 persons have appeared before a court of summary jurisdiction which in some cases has sat as late as midnight. A further 75 persons were to appear yesterday afternoon. The majority of individuals are charged either with breach of section 5 of the Public Order Act 1936 or with obstructing police, section 51(3) Police Act. These are summary offences. Additionally some are charged with assault and with criminal damage which are "either way" offences giving either party, effectively the defendants a right of jury trial.

As you will have read in today's press a further 60 defendants were to appear last night charged with riot. This is triable only on indictment and I understand committal proceedings cannot be contemplated for at least 3 months. If those proceedings are protracted and the lay justices require help, I will see that a stipendiary magistrate is appointed to deal with the committal.

By arrangement the cases have been divided between the Nottinghamshire courts as follows:-

Nottingham City - 115 cases

28 appeared on 14th May, 27 defendants pleaded Not Guilty and were adjourned to 3rd and 10th July. One defendant pleaded Guilty and was fined £5.

27 are to appear today, 25 on 21st May and 10 on 23rd May.

Newark - 42 cases

All are to be contested with staggered dates of hearing in June, July and August.

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Nottingham County and Bingham - 113 cases

All these cases are likely to be contested with dates of hearing on and after 20th June.

Worksop and East Retford - 245 cases

158 at pre-trial review stage and remainder to appear in June. 4 have pleaded Guilty, 3 fined £75 and £30 costs, the other £50 and £5 costs.

Mansfield - 312 cases

All are expected to be contested. Various dates have been fixed on and after 5th July.

There is a discrepancy in the calculations because some courts have relied on police figures rather than counting court register entries.

In addition, 200 defendants arrested on the Nottingham/Derby borders are to appear before the Chesterfield justices.

* see
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[I understand the Chief Constable has expressed reservations about the quality of some of the evidence upon which arrests have been made, and for this reason is not anxious for dates of trial to be fixed too soon.] Doubts have been expressed about the power of the justices to "transfer" cases to other courts, to remand (as opposed to "adjourn") purely summary offences; and hence to apply bail conditions. There is to be a test case on 4th June involving four defendants which, I understand, is likely to be taken for Judicial Review under RSC Ord. 53 whatever the result. The decision of the Divisional Court will affect the course of similar cases elsewhere, and I understand the Judicial Review could be dealt with by the Divisional Court before the end of June. Additionally a point of jurisdiction may arise where coaches have been stopped well away from the pitheads and arrests made, and the defendants then taken to Mansfield.

All the defendants who have so far pleaded not guilty are represented by the same firm of solicitors. This is an important factor which will need to be taken into account by the courts when fixing the hearing dates, although it may be diminished in its impact by information which I have just received indicating that the solicitors concerned are making arrangements to distribute some of the cases to agents. A further factor is that many police witnesses will be coming from outside the Nottinghamshire area.

There is nothing to indicate that the courts need immediate help. They have made sensible arrangements to share staff and courtrooms as and when required. Magistrates assigned to one Petty Sessional Division within a county can sit in another court if required.

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The courts are aware that if their business justifies it they may apply to me for acting stipendiary appointments and where necessary I shall be ready to make such appointments.

At this stage any overt intervention by central government would be inappropriate, and probably ineffective.

I am copying this to the Home Secretary (to whom I have spoken briefly) and to the Attorney General who will wish to know about the probable proceedings under RSC ord 53.

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16 May 84

* The position with regards to evidence is not as stated in the body. The Chief Constable is anxious but delay causes the quality of the evidence to deteriorate.

EXTRACT FROM LAW COMMISSION (ENGLAND) REPORT RELATING TO
OFFENCES AGAINST PUBLIC ORDER DATED 25 OCTOBER 1982

Unlawful assembly

4. At common law, and under the Working Paper proposals, unlawful assembly would be capable of penalising behaviour falling short of threats: it requires no more than a gathering whose purpose is to use threats. The Commission now takes the view that any offences which replace unlawful assembly should not penalise conduct unless it breaches the threshold, currently specified by section 5 of the Public Order Act 1936, of "threatening, abusive or insulting words or behaviour". This criterion is therefore an element of the offences now recommended to deal with threatening behaviour (paragraph 7, below).

5. Another feature of unlawful assembly at common law is that it can be charged both when a group are threatening to use violence or are provoking others to use violence and when a group are actually engaged in acts of violence. The offence proposed in the Working Paper covered both these situations. However, that definition was complex (it had to cover a common law offence of substantial complexity) and the Commission felt that it was seeking to cover and penalise with one penalty types of conduct which were different both in their nature and their degree of criminality. Furthermore, the Commission considered that there was a lack of an offence dealing with public disorder falling short of riot which referred explicitly to actual violence as an element of the offence. Accordingly the Commission now recommends that distinct offences should be created to cover the use by a small group of (a) actual violence (whether against persons or property) and (b) threatening or provoking behaviour. Threatening conduct, which is intended to provoke or cause others to fear violence is different in degree from conduct which is merely likely to have that effect and accordingly threatening behaviour is subdivided into two different offences distinguished only by the absence of a mental element in the second.

6. The three offences derived from unlawful assembly should, in the Commission's view, be triable either way, since some of the conduct which they cover may be fairly trivial in character. In this connection, the Commission has been impressed with the comments of the Circuit Judges, the Justices' Clerks' Society and the D.P.P. upon the need for offences of this character to be capable of being dealt with expeditiously in the magistrates' courts.

7. The three offences would have the following elements:-

First offence

A person would be guilty of an offence if, without lawful excuse, he intentionally or recklessly uses acts of violence against persons or property while acting together with two or more others in a public or private place who themselves are using unlawful acts or threats of violence, provided that the conduct of the defendant and those others is such as would have caused any other reasonable person, if present, to be put in fear of his personal safety. It would be triable either way with a maximum penalty on indictment of 5 years' imprisonment and a fine.

Second offence

A person would be guilty of an offence if, with two or more others acting similarly and with similar intent, he uses without lawful excuse threatening, abusive or insulting words or behaviour in a public or private place with intent to cause any other person to fear imminent violence against persons or property, or to provoke the immediate use of such violence by any such person. It would be triable either way with a maximum penalty on indictment of 3 years' imprisonment and a fine.

Third offence

No intent
A person would be guilty of an offence if, with two or more others acting similarly, he uses without lawful excuse threatening, abusive or insulting words or behaviour in a public or private place which are likely to cause any other person to fear imminent violence against persons or property, or

to provoke the immediate use of such violence by any such person. It
would be triable either way with a maximum penalty on indictment of
12 months' imprisonment and a fine.

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25 September 1984

CABINET

MINISTERIAL GROUP ON COAL

COLLIERY CLOSURE PROCEDURES

Note by the Secretaries

Attached for the information of members of MISC 101, is a copy of the statement issued by the Chairman of the National Coal Board, following the Parliamentary debate on 31 July, explaining the current colliery closure procedures.

Signed ROBERT ARMSTRONG
P L GREGSON
J A J BUDD
J F STOKER

Cabinet Office

25 September 1984

SECRET AND PERSONAL

NCB PRESS STATEMENT

August 1st, 1984

Colliery Closure Procedures

There were misunderstandings in the House of Commons debate on Tuesday about the colliery closure procedure. To make the position clear the National Coal Board today (Wednesday) issued the following statement:

Arrangements were agreed with all the industry's unions at the beginning of 1973 for the introduction of a colliery review procedure. Certain changes were made in 1976, again with the agreement of all the unions, to meet the requirements of the Employment Protection Act of 1975, under which employers had to give longer notice to employees.

Under the procedure, every three months each NCB Area Director holds a general colliery review meeting with representatives of Area unions at which the results of all the Area's collieries are considered and ways of improving those results are discussed. At these meetings the Director also identifies collieries where special action is required.

About three weeks later the Director reconvenes the meeting which is also attended by union representatives from collieries to be specially considered. If the Director's view is that a pit should close he announces his decision at that stage.

If at this reconvened meeting the local unions agree to closure, the date can be settled. When the unions do not agree to closure, they are given the opportunity to make a technical inspection of the colliery.

SECRET AND PERSONAL

The Director's view that he can see no justification for keeping the colliery open is communicated to the National Board who, if they agree, will so inform the unions nationally who then have a month in which to decide whether to ask for a national appeal meeting.

Representatives of the National Board hear the appeal and report the points made at that meeting to the full Board who take the final decision.

This procedure has, in the opinion of the NCB, worked well. In the last ten years 79 closures have been dealt with. Of these, the majority - 58 - were agreed locally. The remaining 19 were referred to national appeal meetings. Of these, ten were closed and nine continued in operation but subsequently closed by local agreement. In the case of two other pits it was informally agreed that their reserves should be worked from neighbouring collieries.

The NCB have proposed no change in these jointly-agreed procedures. In the case of Cortonwood Colliery in their South Yorkshire Area, the Director expressed the view that he could see no justification for continuing production beyond a certain date. He proposed there should be another meeting locally. This offer was accepted by two of the three unions. The National Union of Mineworkers, however, have not been prepared to take the case through the agreed procedures.

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