NATIONAL UNION OF MINEWORKERS

DIVIDE AND CONQUER: A FORENSIC ANALYSIS OF THE 1984-1985 CABINET PAPERS IN RELATION TO THE MINERS' STRIKE

N Wilson, National President

CJR Kitchen, National Secretary

W Thomas, National Vice President

N Stubbs, Author

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EXECUTIVE SUMMARY

The 1984/85 miners' strike was the longest and most bitter dispute in recent British history, leaving in its wake an unprecedented scale of social and economic problems for hundreds of communities across the UK. It was characterised by the violent confrontations between not only striking miners and the police, but also striking miners and their colleagues who decided to work. Moreover, the police were accused of escalating the violence by provoking miners and enforcing the government's political will on communities through the use of paramilitary police forces. There are even suggestions that the police were involved in political collusion to bring about falsified and fabricated evidence against miners on serious charges such as riot, which would have subsequently led to lengthy prison sentences.

The catalyst for strike action was the pit closure programme announced by the National Coal Board (NCB) chairman Ian MacGregor in March 1984. The programme proposed the closure of 20 pits on the grounds of economic unviability, but the National Union of Mineworkers advocated that the Thatcher government were behind a plan to destroy the coalfields once and for all, with planned closures of up to 75 pits. This was claimed to be false.

The NUM and its leaders were consistently branded liars by the government, the NCB and most sections of the press and media, with the dispute being portrayed as a political battle between the left-wing extremists and the rule of law. Various government ministers claimed that they were mere witnesses to the dispute and that they were not prepared to intervene in the dispute.

In January 2014, both the Prime Minister's private office files and cabinet office records were released under the 30-year rule. They reveal that there are a number of significant inconsistencies in the claims of both the government and the NCB. A forensic analysis of the papers, along with a number of other resources, has revealed that:

- Conservative plans for provoking a strike in the nationalised industries were being drawn up as early as 1976, following the defeat of the Heath government a few years earlier. The ultimate objective of these plans was to smash the trade union movement, which the Conservatives saw as the *"political threat"* to their economic reconstruction programme.

- Despite vehement denials from both the government and the National Coal Board, there were plans as early as September 1983 to close 75 pits, making around 64,000 men redundant.
- Despite assurances from both the government and the National Coal Board that every man who wanted to stay in the industry would be allowed to keep his job, it was acknowledged that there would eventually be a need for compulsory redundancies.
- Ministers conspired to cover-up the extent of their plans for the industry, which included running down capacity by around 25 million tonnes and 64,000 jobs in preparation for the industry's privatisation.
- The cover-up of the plans was so effective that ministers were prepared to lie to both Parliament and the country as a whole about the circumstances within the industry. The then Prime Minister, Margaret Thatcher went to the extent of authorising a letter from the chairman of the NCB to the homes of every miner, encouraging them, through attrition, to return to work.
- At a number of cabinet meetings, there was a significant amount of pressure placed on the Home Secretary Leon Brittan to step up police measures against striking miners, despite claims that the police were acting on their own constitutional independence.
- Ministers were prepared to override normal judicial processes in order to ensure that local magistrate's courts were dealing with cases arising from the dispute as quickly as possible, so as to act as a deterrent to other striking miners.
- There are suggestions that the police were part of a political conspiracy to stitch-up the miners by fabricating evidence to bring serious charges such as riot and unlawful assembly against pickets.
- Ministers postponed plans to abolish a dockworkers scheme to avert a strike in the docks by denying the existence of such plans, with the aim of isolating the mining industry from the rest of the trade union movement.

Moreover, the cabinet papers show that, despite government ministers claiming that the despite was an industrial one and that they were simply reacting to events, they were involved in the micro-management of a pre-empted industrial dispute whilst pursuing an official policy of non-intervention.

The release of the 1985 cabinet papers is scheduled for January 2015 and as such, the public do not yet have access to the full information. In addition to this, there are some documents relating to

"intelligence" that were retained from the released documents, along with evidence of informants within the trade union movement. Whilst information is being withheld from the public domain, the families affected will never be able to secure the full truth about the extent to which the government were involved in their ill-treatment.

The consequences of their actions are undeniable, and in light of this new information, which only confirms the suspicions of many who lived through the strike, the time has now come to have a full, transparent and open debate about why the Thatcher government saw fit to sustain a vicious and brutal attack on hundreds of thousands of tax-paying, law abiding citizens.

INTRODUCTION

After thirty years under lock and key, the declassified 1984 cabinet papers reveal for the first time the tactics deployed by the Thatcher government in defeating the miners and their communities during the bitter year-long dispute. The overall objective was to face down opposition to the imposition of an economic framework by which priority is given to the private shareholding investor as oppose to the worker. For the government's part, they told the public that the dispute was politically motivated on the part of the miners; that it was a matter for the industry to settle; and that their intervention would be wholly inappropriate. The newly released cabinet papers, in addition to the release of the prime minister's private office correspondence, expose the secret and covert operation that was being executed behind closed doors by some of the most senior figures in the neoliberal wing of the Conservative party, which began almost a decade before the outbreak of strike action in March 1984.The papers remove the civilised mask of the Thatcher government, revealing the extent to which they were responsible for the micro-management of the strike.

Through dividing the miners and their union into two separate groups – the *"moderates"* and the *"militants"* – the government were able to secure their political victory. They sought to starve miners back to work by implementing changes in legislation to restrict their financial supply by making the unions pay for them, whilst shackling the union in seeking to sequestrate their funds. The by-product of this political battle between NUM president Arthur Scargill and the Prime Minister Margaret Thatcher was that many mining communities with proud traditions and a highly skilled workforce were left isolated, both socially and economically, and this is a feature that remains today.

This is not about reviving the political debates of the 1980s; nor about asking people to decide whether they agreed with Arthur Scargill or Margaret Thatcher; nor is it about political mudslinging. This report outlines the need to get to the full truth about what exactly happened during the strike. Many communities were left devastated by the consequences of the government' policies, with high levels of unemployment, crime and deprivation. Grimethorpe, a former pit village in Barnsley, South Yorkshire, was identified by a 1994 European study as the most deprived village in the UK, and amongst the poorest in Europe. It became the subject of national attention when the Channel 4 film *Brassed Off* – with the fictional name *"Grimley"*, detailed the plight of the village. The policies implemented by Thatcher had massive impacts – crime increased from 30% below the national average to 20% above it; unemployment rose to around 50% and remained at that level for much of the 1990s; and today, we are seeing second and even third generation unemployment. It is no

wonder that these communities feel a bitter resentment towards Thatcher and the legacy that she left behind, in pit villages such as Goldthorpe, where residents famously celebrated the death of Mrs Thatcher in 2013. They were the ones who, while enduring the social vandalism inflicted on their community and the resulting deprivation, were branded *"the enemy within"*. Last year, Goldthorpe saw the first social supermarket open on its High Street, which aims to bridge the gap between the current government's social welfare policies and the reality of living in an area still suffering the hardship of the loss of an industry that provided jobs for the vast majority of the local population. If anything, this strongly indicates some of the major problems faced by residents in areas left behind.

It is people like this who lived through the strike and fought to save their jobs, whilst being deliberately isolated from society and are still being left behind today by a broken system, who want answers. They were assured that every man who wanted to stay in this industry would be allowed to do so. We now know this to be false. They were told that there were no plans to privatise the coal industry. We now know this to be false. They were told that there were no pressures being put on the police and that officers were free to act on their own constitutional independence. We now know this to be false. The result of such pressures on both the police and Magistrates' Court Committees was that many miners were unlawfully arrested, assaulted and convicted, they claim, on falsified or bogus evidence brought by the police, with priority sought on cases arising from the dispute in a deliberate attempt to publically humiliate those taking part in a genuine and justified dispute with their employer. South Yorkshire Police, which had to deal with some of the most brutal clashes in the year-long strike, paid out nearly half a million pounds to pickets after the Battle of Orgreave, yet no proper investigation has been launched into exactly what happened that day.

As a result of the released papers, we now know that what the country was told and what was being done by the government were worlds apart. Any true democracy depends heavily on the notion that those responsible for determining the future of the country should be fully open, transparent and accountable for their actions – the cabinet papers reveal that this was not the case, so now is the time for a full, open and transparent debate to find the truth about what really happened during the strike – the miners and their families deserve that at the very least.

THE RIDLEY PLAN

Every victory needs careful and precise planning and this was no exception. The political battles witnessed by the country between the champions of a free market and the trade unionists provided excellent conditions for a Conservative government to push through its agenda of privatising national assets, but it first needed to begin the onslaught of hundreds of thousands of public sector jobs. The greatest barrier to this political ideal however, was the trade union movement, which was identified as the *"political threat"* of a Tory government. The unions, for their determination to stand up for the labouring classes, each with their own bureaucratic processes, were accused of *"holding the country"* to ransom during the 1970s. This was reinforced through both the media and rhetoric from the Conservatives – the same could be said today of the London Underground workers, who are often portrayed as those responsible for making the commuters' lives a misery and not as workers with a genuine grievance against their employer.

The plans for an all-out offensive on the unions were drawn up by Nicholas Ridley[1], a founding member and the first president of the 'Selsdon Group', and submitted to the Conservative Economic Reconstruction Group in 1977, just at a time when the Tories were licking the wounds inflicted by the humiliating fall of the Heath Administration in 1974. They were a set of instructions detailing how to destroy the *"political threat"* from the *"enemies of the next Tory government"*. Ridley was responsible for the oiling of the wheels on the vehicle of denationalisation, only a small aspect of the market reforms introduced by the Thatcher government. His report served as a blueprint on managing and overseeing the deconstruction of nationalised industries. It set out to fragment those industries in preparation for their sale to the private sector – a move which they believed would increase efficiency by strengthening the *"sticks and carrots"*.

The greatest discrepancy between the then nationalised industries and the Conservative political ideal was that industries were *"run for the benefit of those who work in them"*. The government recognised the catastrophic implications that their reforms of the industries would have on communities entirely dependent on them. Ridley concedes in his report that, *"There are whole towns dependent on steel works, coal mines and ports, which might severely be deprived if full efficiency policies are carried out. The responsibility for dealing with these problems is that of Government rather than the Industry. The Government can either refund the industry for the continuation of uneconomic plants for social reasons, or it can use its financial strength to bring in new industries; or it can compensate financially the victims of industrial change."*

1 The Ridley Plan, accessed online via The Margaret Thatcher Foundation

The report also discusses at great length the policies which would need to be applied by a future Tory government to succeed and the cabinet papers are reminiscent of Ridley's plan – although some of the policies had been implemented prior to the miners' strike. It explores, among other things, ways in which the government can use various tools within its armoury to pressurise strikers to go back to work, including social security benefits, which it says are a *"fruitful field"* for bringing striking employees under the control of and submission to the government's wishes.

It concludes that, "*The strategy for countering this threat should be as follows:-*

First, we should design our return on capital figures to allow some scope, in the vulnerable industries, for paying a higher wage claim than the going rate. This will not be easily apparent to the Unions but if the policy can survive intact by paying a higher than average wage claim it would be a victory.

Secondly, we might try and provoke a battle in a non-vulnerable industry, where we can win. This is what happened when we won against the postal workers in 1971. We could win in industries like the Railways, B.L.M.C., the Civil Service and Steel. A victory on the ground of our choosing would discourage an attack on more vulnerable ground.

Third, we must be prepared for these strategies to fail, however; and we must take every precaution possible to strengthen our defences against all-out attack in a highly vulnerable industry. If the attack comes in Electricity (or gas) there are really very few defences – we should be especially careful to avoid provoking the workforce in these industries. Luckily there is no great need to create redundancies in these industries.

The most likely area is coal. Here we should seek to operate with the maximum quantity of stocks possible, particularly at the power stations. We should make such contingent plans as we can to import coal at short notice. We might be able to arrange for certain haulage companies to recruit in advance a core of non-union lorry drivers to help us move coal where necessary. We should also install [sic], dual coal/oil firing in all power stations, where practicable as quickly as possible.

The chosen battle ground could be the Docks. Here again the best policy is to keep stock as high as possible, and to try and keep some ports open (e.g. Felixstow and Shoreham?) for essential supplies and exports. A dock strike is not as crippling as an energy stoppage.

Road Transport is another industry which is vulnerable, but the diversity of firms and ownership and the weak nature of the Unions, makes it less likely that action could succeed here.

Fourth, by far the greatest deterrent to any strike, whether in the public or private sector, is clearly to cut off the supply of money to the strikers, and make the Union finance them. This is a policy question going beyond the Nationalised Industries, although as employer in these Industries the Government could be said to have some right to treat the strikers differently in relation to Supplementary benefit and tax refunds. This seems too partial, however, and is not recommended. It is clearly vital in order to defeat the attack which assuredly will come in one public industry or another that our policy on state funds for strikers to be put into effect quickly and that it be sufficiently tough to act as a major deterrent.

Fifth, we must be prepared to deal with the problem of violent picketing. This again is a matter going beyond policy for nationalised industries. But it is also vital to our policy that on a future occasion we defeat violence in breach of the law on picketing. The only way to do this is to have a large, mobile squad of police who are equipped and prepared to uphold the law against the likes of the Saltley Coke-works mob.

It also seems a wise precaution to try and get some haulage companies to recruit some good non-union drivers who will be prepared to cross picket lines, with police protection. They could always be used in the crunch situation which usually determines the result of any such contest.

Conclusion. These five policies seem all that is available and if integrated and used wisely they provide a pretty strong defence – particularly when there is no Incomes Policy against which to strike. They should enable us to hold fort until the long term strategy of fragmentation can begin to work."

Despite government ministers and NCB officials at the time claiming that the strike was of the union's making, the Ridley Plan clearly shows that a significant degree of premeditation was involved on their part and that it was they who were the masterminds of the strike. It also shows that the *"intransigence"* of NUM president Arthur Scargill was merely an opportunistic characteristic, by which the government's hand would be strengthened in winning over public opinion by focusing on this along with the violence, which they pre-empted, but nonetheless insisted on provoking. The Ridley Plan was drawn up long before Scargill became president of the NUM in 1982, so to claim that the strike was of his making was clearly an attempt at political mudslinging. Additionally, to present

themselves as mere bystanders to the dispute painted a picture that was far from the truth. Coupled with typical micro-economic ignorance, the plan shows that the government were in this for the long haul and that a key element of their plans was to crush the solidarity and unity that they saw as a threat to the *"freedom"* which they advocated, no matter what the financial and social cost to hundreds of thousands of families.

Ironically, the very same economic system championed by this plan, one where the private shareholder takes precedence over the workforce, has come under intense public and political scrutiny in recent years after struggles to contain the limitless power that corporate greed has over the lives of the many; the same system which has severed the links between economic prosperity and the real economy; and the same system which billions of people on our planet live under the rule of. This has of course been problematic for many politicians and leading academics, who are now charged with the task of finding tangible solution to bridge the gap between the quarterly capitalism and the real economy. Reaganomics as it was colloquially dubbed at the time, relies on the economic prosperity of private entities to create jobs and a good quality of life for the many. This 'trickle-down theory' is one that was discussed in Pope Francis' *Apostolic Exhortation* late last year, where he said that it relies on the naïve assumption that those wielding the wealth will allow it to trickle down. Instead, he said, we live under a tyrannical system where the powerful feed on the powerless. The conditions that have been created by this system are not conducive to the qualities which afford leading a dignified life.

To pave the way for a smooth transition to this economic model, it was necessary for those dependent on the industries to sacrifice their livelihoods for what was seen as a greater good and this was the expectation of those advocating on behalf of this system. But of course; those who were not willing to submit to the rule of this system; those who opposed the rundown and denationalisation of their industry, were dubbed as a threat to freedom and democracy; the violent mob; *"the enemy within".*

The aim, according to the Ridley Plan, was to take eradicate the political force, the trade union movement, which the Selsdon Group believed supported the continuation of markets monopolised by the nationalised industries. The irony in this however is the way in which the cycle of free market economics has allowed a similar situation to occur, not only in the energy industry, but also in other industries such as banking. The distinct difference however is that these industries are now

monopolised by the shareholders of large corporations and even, to some extent, foreign nationalised companies.

The policies outlined in the Ridley Plan were adopted by the government in order to carry out their attack on the trade union movement, were monitored and followed closely throughout the dispute, but failed to recognise that the *"political enemy"* consisted of not only the communist militant leaders of the trade union movement, but also the miners and their families, many of whom had no political motivations. Theirs was a struggle to save their jobs and the way of life that they hoped to pass onto the future generations in these once strong and prosperous communities.

Whatever the economic and ideological arguments of this case, the papers show that the careful and strategic planning outline that the overarching aim of the government was not to keep men in work, as was claimed, but to impose the political ideals of a minority that today benefit – this is not the consumer, as was predicted at the time. The Ridley Plan was drawn up in order to slam opposition to their plans – they knew that the transition would be far from smooth.

The cabinet papers confirm what some both within and outside the industry already suspected. Mrs Thatcher's plans to increase strike endurance were being discussed in October 1983 and the NUM introduced an overtime ban in November. Despite their best efforts, coal stocks were up and the government were in a position to provoke a strike whilst still being able to provide customers with sufficient supplies of coal. Mrs Thatcher regularly monitored this situation, receiving endurance reports daily which outlines coal volumes stockpiled at power stations and as a result, was able to plan the logistics effectively so that the strike would have as little impact as possible on other industries.

Pit closures were, of course, the catalyst of the strike and members of the NUM were called out in an attempt to halt the closure of collieries on grounds other than exhaustion. In the March edition of *The Miner*, Scargill said, *"I cannot emphasise enough that the Coal Board's ultimate intention is to wipe out half the South Notts coalfield, cut the Midlands area by 40 per cent, close down half of the Scottish pits, cut the North Western Area's pits by half, close 60 per cent of the collieries in the North East, wipe out half of North Derbyshire, 70 per cent of the pits in South Wales and shut down 20 Yorkshire collieries. No-one can now say that he has not been warned."*[2]

He had claimed as early as November 1982 that the coal board intended to destroy the coalfields once and for all, for which he was consistently branded a liar by government ministers. In an article written for the *Guardian*[3] in 2009, Scargill claimed that he had been *"sent anonymously a copy of a secret plan prepared by NCB chiefs earmarking 95 pits for closure, with the loss of 100,000 miners' jobs"*. Throughout the strike, various senior ministers, including the Prime Minister, were reliant in their defence of the NCB on the *"intransigence"* of Scargill, yet there is the possibility that, if the claims about the anonymous secret plan are true, that this could have been a deliberate attempt by someone within the government or the NCB to provoke his idiosyncratic non-compromise approach which they claim instigated the strike in the first place. There was however, intransigence on both sides: during the course of this research, Mick Clapham, former head of industrial relations at the NUM and subsequently MP for Barnsley West and Penistone, recalled a meeting he attended with a number of NUM officials and Ian MacGregor. He said that MacGregor told officials that there would be 20,000 job losses as a result of the plans for closures and then folded his arms and began to rock himself to sleep. This clearly shows intransigence on both sides, as well as a determination by the NCB, and in turn the government, to carry out their plans to the letter.

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2 Arthur Scargill's comments in *The Miner*, March 1984.

3 Arthur Scargill, 'We could surrender – or stand and fight', *The Guardian*, 7 March 2009.

Scargill again took the opportunity to comment in March 1984, when he told *The Daily Telegraph*, *"Given his [MacGregor's] head he would cut the present 171 pits to 100 and the 180,000 workforce to 100,000"*[4], but this was something that was, again, denied by ministers and by MacGregor, each branding him a liar.

The papers reveal that, despite their denials, there were plans going above and beyond the 20 pits initially announced, which would eventually need to be facilitated by the introduction of a policy on compulsory redundancies. A secret meeting held at Downing Street in 15th September 1983[5], within just a month of MacGregor's appointment as chairman of the NCB, reveals that there were plans to close 75 pits within the first three years alone. At the meeting, Peter Walker, then energy secretary, reported to Thatcher that the newly appointed chairman *"had it in mind over the three years 1983/85 that a further 75 pits would be closed: first, 64 which would reduce the workforce by some 55,000, and reduce capacity by some 20 million tonnes; then a further 11, with manpower reductions of 9,000 and capacity reduction of a further 5 million tonnes [...] The manpower at the end of that time in the industry would be down to 138,000 from its current level of 202,000".*

Walker also reported that *"there should be no closure list, but a pit by pit procedure",* but there are suggestions that there were plans to target specific regions, with Walker alluding the social and economic impact that these plans would have on areas heavily dependent on the coal industry:

"The Secretary of State noted that there would be considerable problems in all this. The manpower reduction would bite heavily in particular areas: two-thirds of Welsh miners would become redundant, 35 per cent of miners in Scotland, 48 per cent in the North East, 50 per cent in South Yorkshire and 46 per cent in the South Midlands."

The meeting, the minutes of which were marked *"Not to be photocopied or circulated outside the private office",* was attended by a small group of ministers: the Prime Minister, Chancellor, Energy Secretary, Employment Secretary, Robert Armstrong, Peter Gregson and Michael Scholar.

"It was agreed that no record of this meeting should be circulated".

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4 '20,000 more pit jobs to be axed – Strikes likely over MacGregor plan', *The Daily Telegraph*, 7th March 1984.

5 *Record of a meeting held at No.10 Downing Street on 15 September 1983.*

It was stipulated in further documentation[6] that at the beginning of any further meetings to be held, owed to the sensitive nature of the plans for the closure of pits, instead of plans being written down the ministers responsible would give a *"short oral briefing"*. This allowed for as little as possible to be committed to paper, thereby avoiding the risk of the plans to become public knowledge.

In a document from the Prime Minister's private office files, sent to Sir Michael Scholar by Peter Gregson, the extent of the attempts to cover up plans become clear:

"In light of the Prime Minister's meeting with the Secretary of State for Energy on 15 September I have been considering:

i. *what further meetings the Prime Minister might need to have on coal matters;*
ii. *how to arrange these meetings so that as little as possible of the more sensitive aspects is committed to paper."*

The document goes on to discuss the ways in which these objectives can be achieved. Gregson suggests:

"that we go ahead with a meeting on power station endurance in the medium term in late October, to be attended by... the Home Secretary, Chancellor of the Exchequer and the Secretaries of State for Energy, Defence, Scotland, Employment and Trade and Industry..."

"that no other papers should be circulated for that meeting... and that discussion of coal strategy at that meeting should be avoided..."

This cover up was not one that was kept from the public alone – in March, after the outbreak of the dispute, Peter Gregson chaired a meeting of the official group on coal[7], made up of senior civil servants, in which he said that the Prime Minister was organising a ministerial group that would discuss issues arising from the strike. The papers show however, that this had already been discussed months before.

Another key paper which indicates the need for accelerated closures, and in particular compulsory redundancies, is entitled, *"Note for the record: Enduring a coal strike"*[8] and dated 31st October 1983.

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6 Peter Gregson to Michael Scholar cc. Sir Robert Armstrong, 21st September 1983.
7 Minutes, Cabinet Official Group on Coal, 12th March 1984.
8 *'Note for the Record: Enduring a Coal Strike'*, 31st October 1983.

It is hand marked *"Not to be copied outside Private office. Typed by Jean. Seen by AT, FERB".* The note reads:

"Sir Robert Armstrong and Mr. Gregson came to brief the Prime Minister today for the meeting on Tuesday on enduring a coal strike...

At his meeting with the NUM last Wednesday, Mr. MacGregor had made it clear that the 5.2% offer was a final one, but there did not at present appear a strong groundswell of opinion against the pay offer.

Mr. Gregson thought that a strike on closures was unlikely this winter. For the time being it was possible to achieve the required redundancies by voluntary means; by the middle of next year when most of the older miners had gone, compulsory redundancies would be necessary. Furthermore, increasing closures would mean moving further and further away from the concept of exhaustion... It was agreed that at the meeting Mr. Walker should be invited to give only the barest background on closures, merely indicating that there was a real risk of a strike during the next two years."

Because of the effectiveness of the cover up, it is difficult to estimate the exact plans of the government and the board at any given time. This sanitation was effective on two levels: firstly, it was acknowledged that it would protect the government from any, as they put it, *"degree of unpopularity"*; and secondly, it aided the deceptive attitude of government ministers, who were the real engineers of the strike, and ensured that a return to work was as effective as possible. Had the miners known of the true plans, support for the strike both among the miners themselves and the general population would have been much stronger and this was recognised by ministers: this was after all, the raison d'être of the cover-up operation.

The closure plans do however, receive a further mention in minutes from a discussion held on 12th January 1984 between Thatcher and Walker[9]. It says that *"The current plans envisaged a net reduction of manpower of 28,000 over the next two years. Mr MacGregor felt that this, which was consistent with achieving break even for the NCB by 1988, was too protracted a timetable. He wished to raise the target by 16,000 to 44,000 over two years".*

It was also noted that, due to there being only 40,000 miners aged over 50 working for the NCB at the time, this objective could not be achieved without first making redundant miners under the age

9 *'Note for the record: NCB Manpower',* 12th January 1984.

of 50. In order to avoid any possibility of *"strengthening the hand"* of Scargill, MacGregor proposed to increase redundancy terms, making the prospect of selling their job much more tempting to the miners. These proposals were accepted and endorsed by government ministers one week later on 19th January[10]. At this meeting, it was said that, *"Mr. MacGregor had reconsidered NCB's strategy and had concluded that the process of run-down ought to be accelerated. This would imply the loss of 45,000 miners over the next two years..."*

"The Chancellor agreed that the rate of closure should be accelerated and that these proposals were sensible..."

"In discussion it was emphasised that the two-year limit should be strictly adhered to as in this way it would be most effective and would minimise repercussion for other sectors. Other ministers recognised the problems of repercussions. Nevertheless they felt that it was right to adopt these proposals..."

"Summing up, the Prime Minister said that the objective of a more accelerated run-down of coal capacity was accepted, as were the terms of the enhanced RMPS. The Secretary of State for Energy should consult further with his colleagues before any announcement were made".

Mrs Thatcher was so confident that the plans would not become public knowledge, that she personally authorised a letter sent by MacGregor to the home of every miner, calling on them to return to work and bring an end to the dispute. It also denied that he was out to *"butcher"* the industry.

"Dear Colleague,

I am taking the unusual step of writing to you at home because I want every man and woman who has a stake in the coal industry to realise clearly the damage that will be done if this disastrous strike goes on a long time.

10 *'Note for the Record: Coal Policy',* 19th January 1984.

The leaders of the NUM have talked of it continuing into the winter. Now that our talks with them have broken down this is a real possibility. It could go on into December or even longer. In which case the consequences for everybody will be very grave.

Your President talks continually of the strike going indefinitely until he achieves "victory".
I would like to tell you, not provocatively or as a threat, why that will not happen however long the strike lasts.

What this strike is really about is that the NUM leadership is preventing the development of an efficient industry. We have repeatedly explained that we are seeking to create a higher volume, lower cost industry which will be profitable, well able to provide superior levels of earnings while still being able to compete with foreign coal. To achieve this, huge sums of money are being invested in new equipment; last year it was close to £800 million and we expect to continue a similarly high rate of investment in the years ahead. Our proposals mean, short term, cutting out some of the uneconomic pits and looking for about 20,000 redundancies – the same as last year. The redundancy payments are now more generous than ever before for those who decide not to take alternative jobs offered in the industry.

However long the strike goes on I can assure you that we will end up, through our normal consultative procedures, with about the same production plans as those we discussed with your representatives on 6th March last.

But the second reason why continuing the strike will not bring the NUM "victory" is this: in the end nobody will win. Everybody will lose – and lose disastrously.

Many of you have already lost more than £2,000 in earnings and have seen your savings disappear. If the strike goes on until December it will take many of you years to recover financially and also more jobs may be lost – and all for nothing.

I have been accused of planning to butcher the industry. I have no such intention or desire. I want to build up the industry into one we can all be proud to be part of.

But if we cannot return to reality and get back to work then the industry may well be butchered. But the butcher will not be the Coal Board.

You are all aware that mines which are not constantly maintained and worked deteriorate in terms of safety and workability.

AT THE PRESENT TIME THERE ARE BETWEEN 20 and 30 pits which are viable WHICH WILL BE IN DANGER OF NEVER RE-OPENING IF WE HAVE A LENGTHY STRIKE.

This is a strike which should never have happened. It is based on very serious misrepresentation and distortion of the facts. At great financial cost miners have supported the strike for fourteen weeks because your leaders have told you this .....

> *That the Coal Board is out to butcher the coal industry.*
> *That we plan to do away with 70,000 jobs.*
> *That we plan to close down around 86 pits, leaving only 100 working collieries.*

IF THESE THINGS WERE TRUE I WOULD NOT BLAME MINERS FOR GETTING ANGRY OR BEING DEEPLY WORRIED. BUT THESE THINGS ARE ABSOLUTELY UNTRUE. I STATE THAT CATEGORICALLY AND SOLEMNLY. YOU HAVE BEEN DELIBERATELY MISLED.

The NUM, which called the strike, will end it only when you decide it should be ended.

I would like you to consider carefully, so we can get away from the tragic violence and pressures of the mass pickets, whether this strike is really in your interest.

I ask you to join your associates who have already returned to work so that we can start repairing the damage and building up a good future"[11].

There are a number of distinctions between this letter and the plans that are alluded to in the minutes from meetings in both September 1983 and January 1984. First of all, MacGregor is said to have preliminary intended to close down 70 pits, with manpower reductions of 64,000 – these plans were intended to cover *"the three years 1983/85"*, and there are no indicated plans going beyond this timescale – a breakeven for the industry was envisioned by 1988, indicating further rundown beyond this period. The rate of closures had, as is evident from the papers, been accelerated since then on the endorsement of government ministers. Secondly, it is also reported at the same meeting

11 MacGregor's letter to homes of miners.

that *"From end-1984 onwards it would not be possible to offer redundant miners other employment in the mining industry"*. There is no mention of the plans to make individual miners redundant on compulsory terms. More ironically is the way in which MacGregor denied being out to *"butcher the industry"*, yet the role of a butcher consists of chopping up parts of a carcass and selling off what is profitable. This is precisely one of the aims set out in the Ridley Plan – he wanted the industry to be managed regionally as to dilute power within the industry through segregating parts of the industry.

The letter had been discussed and authorised by senior ministers at a meeting held at Downing Street[12], attended by the Prime Minister, the Chancellor of the Exchequer, the Secretaries of State for Employment and Energy and Peter Gregson. At this meeting, Walker said that, *"if, as expected, the talks came to an early end, the Board would follow up with two letters to every miner. The first would be from the relevant Area Manager, the second from the Chairman. These should set out the NCB case and urge a return to work"*.

The letter was preceded by three drafts, all of which were seen by the Prime Minister. It was first delayed for a week after she asked for a further draft to be drawn up until it was finally sent to the homes of miners on 21st June. The drafts are included in her personal files[13] together with a note from her private secretary, Andrew Turnbull, which outlined to her the options in drawing up an additional draft. One contains underlining by the Prime Minister, which includes a sentence that was underlined twice, which said that even if the NUM continued with the strike, no victory, and that everyone would lose – indicating that she saw a victory for the Tory government as the only possible outcome of the strike.

The effectiveness of this cover up also encouraged ministers to deny in Parliament the plans to close up to 75 collieries and the plans for compulsory redundancies. Walker, who was well aware of the plans that existed and had close liaison with MacGregor throughout the entire dispute, answered a number of questions denying the existence of such plans.

"Roy Mason: *"Is the Secretary of State aware that the announcement by the NCB that there should be a reduction in output of 4 million tonnes and the closure of 20 pits sparked off the trouble at Cortonwood and the national strike, the main reason being that it made nonsense of the pit review procedures? If the Minister told the NCB to withdraw the pit closure risk, whether he liked it or not,*

12 *Record of meeting held at 10 Downing Street at 1630 31 May to discuss the coal dispute.*
13 Prime Minister's private office files.

as a prerequisite to a settlement, and if we reverted to the pit closure reviews that we had before, progress towards a settlement might be possible."

Walker: *"Let me remind the right hon. Gentleman that in March there was no proposal for the closure of 20 pits and no list of pits. There was the suggestion that there was a need to reduce capacity by 4 million tonnes, which would be discussed at regional level and go through the normal procedures. Therefore, there was no attempt at any time by the Coal Board not to go through the normal procedures.""*[14]

Responding to a question posed by Allen McKay MP challenging the appointment of Ian MacGregor as chairman of the NCB, Walker also said, "*The Hon. Gentleman is talking about a chairman of the NCB who has kept up a massive investment in the coal industry, who has recently persuaded the Government to put £400 million into the development of Asfordby, and who has seen to it that at pits that have been closed all the miners had the option of either alternative jobs or early retirement, which many have taken".*[15]

He also insisted that the government and the NCB had handled closures with a *"sensible and civilised"* approach, despite the papers revealing plans for the future of the industry that were kept in absolute secrecy.

Walker is also quoted in *The Times* as saying that he *"derived no pleasure from the dispute. That is why (he continued) my colleagues and I decided to make arrangements whereby there was a decent pay offer, massive investment and no need for a single compulsory redundancy".*

He also repeatedly denounced the miners who were on strike, insisting that there was "*no need for them to suffer hardship".*[16]

Again, he assured the house that, *"In the proposals for the future of the industry—looking after mining communities, guaranteeing employment to miners and in the wage increases that have been offered — Mr. MacGregor has produced a good package for the industry. I only wish that he had been allowed to put it into operation"*[17].

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14 Hansard Commons, 22nd October 1984.
15 Handard Commons, *12th March 1984.*
16 'Parliament – 14th May 1985', *The Times,* 15th May 1984.
17 Hansard Commons, 22nd October 1984.

Walker again reported to Parliament in a statement in October, *"Following the negotiations that have taken place throughout the summer, I wish to remind the House of the package that is now on offer to the miners: a wage increase from last November providing earnings way above average industrial earnings and greater than that gained by many groups of workers; an undertaking that any miner who wishes to continue working in the industry will be able to do so; exceptionally generous provisions for those who choose a course of early retirement when a pit needs to close"*[18].

Alongside many calls for the miners to return to work were comments which implied that compulsory redundancies would be necessary the longer the men stayed out on strike. These comments were made even though the papers indicating that such plans already existed. MacGregor warned *"that a long miners' strike would make 25 per cent of pits geologically unworkable and would force the NCB to introduce compulsory redundancies"*[19].

MacGregor said again in *The Observer* that there would be no need for compulsory redundancies, *"Mr Scargill has spent the last six week avoiding a ballot of his members, juggling the rules of his union, intimidating some miners who want to work and spreading gloomy and irresponsible lies about the future of the pits... it is my intention to hold onto every man who wants to stay in the industry"*[20].

The key tactic here was to lure the miners at geologically sound pits into a false sense of security, a tactic which played an important role in breaking up the union movement. This in turn provoked some of the most violent scenes that were to characterise the whole of the strike, a feature which the Ridley plan acknowledged. By doing so, the government were able to take the moral high ground, presenting the dispute as an industrial one, characterised by tense relations between the miners that were willing to stay out on strike and those who were pressurised into returning for financial reasons. The deception was widespread and their complacency in the fact that their plans would go undiscovered gave ministers the peace of mind that they could continue to pursue a course of contempt of true democracy by refusing to be fully accountable for their actions.

It was also admitted by the NCB and recognised by Thatcher's advisors that the announced closure of Cortonwood colliery, which was the catalyst for strike action in March 1984, was *"mishandled"*. In a note[21] sent to Andrew Turnbull, private secretary to Thatcher. *"The NCB's closure plan does not*

18 Hansard Commons, 22nd October 1984.
19 *The Guardian*, 16th April 1984.
20 Robert Taylor, 'MacGregor hits out at Scargill', *The Observer*, 22nd April 1984.
21 David Pascall to Andrew Turnbull, 9 May 1984.

involve a systematic closure of the most uneconomic pits in sequence. The NCB have felt it necessary to spread the closure programme throughout the areas in order to reduce the need for compulsory redundancies and to avoid being seen to concentrate on any particular one region.

Consequently some pits have been closed which have not been the worst offenders in the economic league table. The proposals to close Cortonwood were based on this approach, ie closure of Cortonwood gave an opportunity to redeploy the men from that pit in the same area. Nevertheless, it does seem that the approach to shutting Cortonwood was mishandled.

Future closures

The NCB is in a difficult position in trying to reassure miners about their future. Even when 20,000 people and 4 million tonnes of output are withdrawn from the industry during this financial year, there will still be a need to shut a further 20-25 pits with a further reduction in manpower of 20-25,000 men. Further closures of the order of 10mt will be required although these will be largely offset by new capacity. The problem for the Board therefore is that although aggregate capacity should not need to be reduced in future years, there is still a requirement to reduce a substantial number of pits and to lose a substantial number of manpower from the industry".

These figures show that, despite the claims of the NCB and various ministers, they weren't being entirely open and honest about their plans with the industry.

Although it is unclear whether junior ministers were aware of the plans for compulsory redundancies due to the extreme secrecy of the plans, there was one occasion when claims were made in the Lords that the NCB had no plans to make miners redundant on compulsory terms.

"Lord Grimond asked Her Majesty's Government "how many miners will be made compulsorily redundant during the next five years according to the forecast plans of the National Coal Board.""

The Earl of Avon, under-secretary of state for energy, responded by saying, *"There are no such forecast plans. The National Coal Board's stated policy is that no miner who wishes to stay in the industry will be made compulsorily redundant. Of course, in exceptional circumstances beyond the board's control, where the industry's assets are destroyed or become unworkable because of strike action or vandalism, it may not be possible to apply this guarantee".*[22]

22 Hansard Lords, 3rd December 1984.

The NCB at one point even placed an advert in the *Daily Mirror*, a copy of which exists in the private office files of Mrs Thatcher, which insists, *"Despite what you might be told, the industry is not being run down".*[23] Ministers themselves referred to the process as a running down of the industry and they endorsed the accelerated run down of the industry in the meeting of 19th January:

"Summing up, the Prime Minister said that the objective of a more accelerated run-down of coal capacity was accepted".

The government, on a number of occasions, asserted that a solution to the dispute was a matter entirely for the NCB and their refusal to become officially involved was subjected to criticism from opposition MPs. It was the case however, as is evident in the papers, that any decision that was to be put forward in official policies of the board, was first agreed by ministers. No matter what the arguments of the case or the indicated plans for the industry, we know that under consecutive Tory governments, more than 200 collieries and workshops were closed in the decade that followed the strike, with the remaining mines sold off by the Major administration. It is palpably clear that the plans of both the government and the NCB during the period covered by the papers was to prepare the industry, as it is outlined in the Ridley Plan, for its run-down and eventually, its denationalisation.

POLICING THE STRIKE

Police forces across the UK were instrumental in defeating the miners and the way in which they were used to meet this objective has been the topic of controversy since. It was outlined in the Ridley Plan that police would need to be well equipped, well trained and prepared to deal with violent picketing throughout any industrial dispute that would arise in opposition to the economic reconstruction plans of the Tory government. Whether or not direct orders on tactics and the use of police resources were given to senior police officers by the government is unclear, due to the absence of the Home Secretary's personal files, which are due to be released under the 30-year rule in 2015. A Freedom of Information request was sent to the Home Office requesting any private correspondence between the Home Secretary Leon Brittan and chief constables across the country in relation to dealing with pickets. A response was received saying that no such papers are kept by that department.

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23 'To keep the record straight, here is the National Coal Board's side of the story', *Daily Mirror*, 25th April 1984.

The Ridley Plan warned that a future Tory government, *"...must be prepared to deal with the problem of violent picketing. This again is a matter going beyond policy for nationalised industries. But it is also vital to our policy that on a future occasion we defeat violence on breach of the law on picketing. The only way to do this is to have a large, mobile squad of police who are equipped and prepared to uphold the law against the likes of the Saltley. Coke-works mob."*

During a series of secret meetings held with the Prime Minister and various other ministers, policing was a matter that was discussed at great lengths, but the sanitisation of the minutes makes it difficult to find out the truth about what was actually said. At these meetings, there was considerable pressure put on senior ministers to see what could be done to strengthen the government's hand in the dispute. Both Mrs Thatcher and MacGregor expressed their dismay at the police's operations on the picket line and similarly, there were calls for the Home Secretary to see what could be done to make arrangements to step up measures against the miners. These pressures, it was conceded by Home Office officials, were thought to have led to an escalation in violence. The government however, sought to demonise the miners for their actions, portraying them as an uncivilised *"violent mob"*, whilst maintaining that the police were maintaining law and order. Whilst the slanderous terms may have been applicable to a minority in the mining communities, the government failed to recognise that many were law-abiding, taxpaying citizens engaged in a justified industrial dispute.

The result of this decivilising offensive was a feature that characterised the whole of the bitter dispute: the scenes of violent confrontations seen night after night on television between picketing miners and police. The government were insistent that the police were carrying out their duties as neutral arbiter of law and order, but those who fell victim to the police violence and brutality know this to be false. No minister has since accepted responsibility for the actions of some police officers who overstepped the mark in carrying out their duties and even escalated the violence and increasing tensions through the underhand tactics that were used.

Possibly the most alarming aspect of the way in which the strike was policed was the way in which the police were being presented as acting on their own discretion, whilst pressures were being put on them to arrest more pickets. It was said by ministers on a number of occasions that discretion as to whether individuals should be arrested as a result of their participation in mass picketing was a matter for the police and the police alone and that their constitutional independence should be upheld and respected. Despite this, there were private concerns from the highest ranks of both the

NCB and the government that the police were not fully carrying out their duties and as a result, special efforts were made to step up action against the miners. MacGregor raised concerns at a secret meeting held at Downing Street with the Prime Minister and Walker on 14th March 1984[24], in which he reported that he had won a High Court injunction against the NUM preventing it from using flying pickets:-

"While he had taken action under the civil law he was concerned that the criminal law was not being upheld. It appeared that no arrests had been made and that militants were not only preventing miners who wanted to work from doing so, but were preventing ballots from taking place...

The Secretary of State for Energy said that Police were interpreting their role as ensuring that anyone who expressed a wish to go to work would be enabled to do so. In practice, however, this was insufficient to ensure that pits were kept working as many miners were, understandably, reluctant to expose themselves to the hostility of picket lines...

He was concerned that failure to uphold the law would rebound on the Government and call into question its commitment to the rule of law and its employment legislation...

The Prime Minister said she was deeply disturbed by these reports. The events at Saltley cokeworks were being repeated. It was vital that criminal law on picketing be upheld. Helping those who volunteered to go to work was not sufficient; intimidation had to be ended and people had to be free to go about their business without fear. It was essential to stiffen the resolve of Chief Constables to ensure that they fulfilled their duty to uphold the law. The Police were now well paid and well equipped and individual forces had good arrangements for mutual support."

The meeting then ended and was immediately followed by a discussion held by a wider group of ministers. Present was the Prime Minister, Home Secretary, Secretaries of State for Energy, Environment, Social Services, Employment, the Attorney General, the Financial Secretary to the Treasury and Peter Gregson[25].

At this meeting, the Prime Minister again said that she was deeply disturbed by the reports she had been presented with by MacGregor and Walker minutes earlier. She said that "*It appeared that the Police were not carrying out their duties fully as large pickets were being permitted and few arrests*

24 Note for the record: coalmining dispute, 14 March 1984.
25 Note for the record: coalmining dispute, 14th March 1984.

were being made." At the time, secondary picketing, and of course large pickets, were not an offence under criminal law – but nonetheless, ministers were concerned with the apparent leniency with which Chief Constables were treating striking miners.

"The Home Secretary said that his department had alerted Police Chiefs earlier in the week on the extent of their powers but he was not satisfied with the response." He had also outlined these powers, which included intercepting vehicles, stopping pickets from assembling and disperse excessive numbers of pickets. The minutes add that *"He had gone to the limit of what the Home Secretary could do while respecting the constitutional independence of Police Forces".*

This however, was not good enough, and there was further considerable pressure put on the Home Secretary to pass pressure down the chain of command.

Summing up, the Prime Minister said, *"it was essential that criminal law on picketing be upheld and that intimidation should not be allowed to succeed. The meeting endorsed the action of the Home Secretary to ensure that Chief Constables carried out their duties fully. The matter should be discussed again at Cabinet when it would be clearer whether the Police were adopting the more vigorous interpretation of their duties which was being sought. Ministers could then consider what further action might be needed."*

It was said at the first official ministerial group on coal after the outbreak of strike action, held at Downing Street on 16th March (only two days after initial concerns over the Chief Constables' effort were raised) by the Prime Minister that the objective should be the continuation *"of the efforts already been made by the Chief Constables to cope with heavy picketing".* There is no mention in the discussions with the wider group of ministers that the Home Secretary was *"not satisfied with their response"* as it was previously recorded from a smaller meeting of ministers.

The difficulty arises again in finding out the nature of communications between the Home Secretary and senior police officers, given that the Freedom of Information request submitted to the Home Office Department was not met. Whatever those papers may or may not have revealed, the result was an increase in tensions between the mining communities and police, and a breakdown of relations that is, to some extent, present in some former mining communities today.

Some senior police officers were quick to respond to claims that they were being used as a political weapon of the government, claiming that this was false. One senior police officer however, described his force as the *"jam in the sandwich"* in the dispute. Concerns were raised over the official policy of the police in Scotland, who appeared not to be enforcing the policy of turning away pickets. At the MISC 101 meeting on Tuesday 8th May, summing up discussions, the Prime Minister said the Secretary of State for Scotland 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 going to the scene of possible disturbances"*. This strongly supports the assertion that ministers were interfering in the policing operation of the strike.

There were occasions when police would arrest pickets and ask political questions, such as what newspaper they read, how they would vote in a general election and even if they supported Arthur Scargill in the NUM presidency elections. This was acknowledged in a note by the Home Office attached as an appendix to the Attorney General's review[26] into the effectiveness of law enforcement:

"...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."

Some men were stopped and questioned by police in the streets, asking whether they were pickets.

"On one occasion I was at Blidworth in the town in the company of three other men. We had just bought fish and chips and we were stopped and questioned by about ten police officers from a white support vehicle. We were told that as pickets we had to leave the town and go back to South Yorkshire. We were told that if we went anywhere near the pit we would be arrested. We returned to our car and were escorted out of the County."[27]

The police were, as Ridley suggested they should be, well equipped and prepared to deal with confrontations on the picket lines. Some of the tactics they used were designed to be able to single out men on the picket lines that they felt were ringleaders, or men who they may have had dealings with previously. The use of snatch squads was a tactic that was regularly used:

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26 Industrial action in the coal industry: the use of the criminal and civil law – Note by the Home Office.

27 Jim Coulter; Susan Miller; Martin Walker, *A State of Siege: Politics and Policing of the Coalfields: Miners' Strike 1984.*

"I am a safety team worker at a pit in South Yorkshire. I know something about 'snatch squads' or 'internal security training' because I was previously in the British Army. I served from 1964 to 1974 and saw service in Borneo and West Germany. I was part of a special unit which concentrated upon internal security. I got the G.S.M. after serving in Borneo. As I witnessed it when I was arrested at Babbington they work in the following way; there are seven to ten men in parallel rows, they begin marching forward, the police in the cordon break their linked arms and force the picket back. The fourteen or twenty men then rush in and 'snatch' a person, retreat and the cordon closes behind them. The squads choose men either by them being pointed out by 'plants' in the picket or by previously obtained photographs and descriptions. In my case, I saw the squad line up, cross the road and then run 'at the double' through the cordon. Three officers grabbed me"[28].

Many miners who were present on the picket lines, some who were severely beaten, have complained of misbehaviour by the police, claiming that officers went above and beyond their powers, another fact which is acknowledged in the note from the Home Office. The government at the time denied that there were paramilitary police forces enforcing the rule of law in areas, but the government papers suggest that the reality of the situation was contradictory to these claims.

This concern was raised by a Home Office official, Alison Smith, in a report prepared to her department looking into police tactics. It said that, *"Metropolitan PSUs [Police Support Units] were valued in violent confrontations but at other times, and these occasions were more frequent, their attitudes were thought to be harder for local people to identify with and so perhaps more likely to lead to an increase in tension.*

"The casual approach of the metropolitan PSUs had been a surprise to those forces which had not the same experience of public order problems being treated as everyday occurrences."[29]

There were a number of serious complaints that were made against the police during the strike. Some of these were pursued through the proper networks and investigated under section 49 of the Police Act 1964 and the Police Act 1976. One such investigation looked at an incident which occurred three days after Orgreave, at Stainforth, where officers were found guilty of using disproportionate force, but could not identify them because they had removed their identification number from their uniforms. At the time, the now defunct Police Complaints Authority (PCA) said,

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28 Coulter; Miller; Walker.

29 Public order: Visit to West Yorkshire

"During a very violent day some police officers did overreact and a few officers did assault prisoners after arrest, others were abusive and uncivil." The file, which was more than a hundred pages long, was brought to the attention of the Director of Public Prosecutions, but no further action was taken against any officer or force. This information was gathered from an article in the Guardian[30]. The Independent Police Complaints Commission was contacted with a view to submitting a request, but according to the advisor, reports from the now defunct PCA are under more stringent release conditions. He advised that the best course of action would be to contact South Yorkshire Police because they are not subjected to implement the same criteria for release. A Freedom of Information request was subsequently submitted to South Yorkshire Police requesting a copy of the report by the PCA. The response from the Information Compliance Clerk within the force was as follows:

"I travelled to Sheffield Archives this morning to look at some of the material held there on our behalf regarding the Miners' Dispute. I looked through 7 boxes of information which had the word 'Stainforth' in the (generic) box 'title'.

The information held within the boxes is loose and un-catalogued, and having sifted through the contents, I could not find a copy of the report by the PCA that you refer to."

Ministers were told at various meetings that the line to take was that the dispute should be seen as a matter of law and order, although they were often very quick to condemn the violence inflicted by miners whilst praising the police for their efforts. In Mrs Thatcher's absence, Viscount Whitelaw, Lord President of the Council, chaired a ministerial meeting held on 19th March 1984[31]. In summing up discussions, he said that the *"Government's interest 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 cabinet papers, along with the Prime Ministers' private office files, reveal that this policy was one that was contradicted through covert interventions made by ministers.

30 Mark Townsend, 'Miners' strike: 'All I want is for someone to say: I'm sorry." *The Guardian,* 1 December 2012, http://www.theguardian.com/politics/2012/dec/02/miners-strike-orgreave-special-report [accessed 1 May 2014]

31 Ministerial meeting, 19th March 1984.

There were also concerns raised as to the legitimacy of some of the evidence that was put before the courts. In a letter from the Lord Chancellor to the Prime Minister[32], dated 16th May, he raised private concerns over the *"quality of the evidence"* being brought against those arrested. Initially, he wrote *"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."*

An amendment was made to this letter before it was sent. The following sentence was put in its place, *"The position with regards to evidence is not as stated in the body. The Chief Constable is anxious lest delay causes the quality of evidence to deteriorate."*

Coupled with this are claims from some groups, such as the Orgreave Truth and Justice Campaign, that police officers fabricated evidence in order to prevent miners from picketing. Many were arrested on charges such as unlawful assembly or obstruction and believe that exaggerated or bogus evidence was brought against them by the police. Although the parallel between these claims and the redacted claims of Lord Hailsham bear some resemblance, it is unclear as to why he amended the concerns.

Similarly, in a report to the Prime Minister, the Attorney General carried out a review[33] of *"any means of increasing the effectiveness of the enforcement of criminal law to counter violence and intimidation; and the possible role of the civil law in restricting the effectiveness of the strike."* In this, the Attorney-General concludes that *"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"*. It was claimed by a number of opposition MPs at the time that the police were being used to enforce the civil law. This clearly shows that the government were reliant on the courts to uphold the police's actions as lawful, but nonetheless, were prepared to change the goalposts in order to give police powers to enforce the civil law.

First-hand accounts, many of which were provided by the Orgreave Truth and Justice campaign, include testimonies from those arrested in relation to the picketing. One man, who was arrested for unlawful assembly, said that he was kicked to the ground by a police officer whilst picketing and arrested by a police inspector, who later claimed that the man had *"shoulder charged"* him. Owing to

32 Lord Hailsham to Prime Minister 16th May 1984.
33 Attorney-General to Prime Minister, 4th June 1984.

the sense of injustice felt by this man, he refused to have his photo taken and finger prints recorded due to him not being charged, resulting in him being *"roughed up and called abusive names"*[34].

Some claim that, when they were arrested for alleged offences, although they were adamant that their arrest had been unwarranted, they were advised to plead guilty by solicitors because it *"wasn't worth the hassle"*. One man said, *"We were pulled up by police on the A1 motorway at Blyth Roundabout and told to get out of vehicle and told by police we were committing a breach of the peace and were not allowed to carry on with our... journey. Told by police to turn back. We refused and were arrested and told to go stand around a lamp standard where they said they were going to handcuff us around the standard, as there was no van to take us to the station. We were duly locked up for several hours until a solicitor arrived and told us to plead guilty as it wasn't worthwhile. We were told never to go picketing again"*.

There have been some police officer who have spoken out about their disgust at the way in which former colleagues treated miners during the dispute. One senior police officer who served with the Cleveland Constabulary wrote a private letter to Wansbeck MP Ian Lavery saying that he was *"appalled"* by the behaviour which he witnessed, including *"verbal abuse by officers in police vehicles taunting pickets"*[35]. The former officer, who remains anonymous, also wrote that he *"was appalled at the conduct of a number of officers, generally members of the Metropolitan police who we described as the Banana Squad – all bent and yellow"*.

It is without doubt that one of the events that most defines the bitterness of the strike was the incident which took place outside Orgreave coking plant near Sheffield on 18th June 1984. The papers reveal that Thatcher's government had extensive contact with the force in command on that day, South Yorkshire Police, which in 1991 paid out nearly half a million pounds in compensation to some of the men that were badly beaten by police officers. The accuracy of police statements from within the force is a theme that has since re-emerged as a major concerns in the 1989 Hillsborough disaster, with some police officers speaking out about their concerns since the disaster took place.

The "Battle of Orgreave", as it has more commonly become known as, has not only raised concerns over the way in which the police dealt with the day's events, but also the way in which press coverage may have presented events to the general public.

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34 Information provided by the Orgreave Truth and Justice Campaign.

35 Mark Townsend, 'Miners' strike: senior officer was 'appalled' at conduct of other police', *The Observer*, 15th December 2012.

A meeting held by senior staff at the BBC[36] on 19th June revealed that the *"A.D.G. [Assistant Director General, Alan Protheroe] said he had found the events of the previous day very worrying; additionally, he had had a feeling that the BBC's early evening coverage of Orgreave might not have been wholly impartial.*

The coverage illustrates the many problems of TV coverage, not least its inability to present a "total" picture: in addition, A.D.G. felt his often-repeated warnings against what he called "adjectival reporting" should be repeated. It was more essential than ever for the BBC's journalism to be obviously distanced from events.

Peter Woon, editor, said that the coverage had shown a *"marginal imbalance"*, adding that, *"This was a general feeling in the newsroom".*

Martin Wallace asked the meeting *"how neutral one could be as between law-breakers and the police; the BBC's coverage must show the extent to which the miners were to blame. A.D.G. said the coverage had included police behaviour beyond the normal".*

Subsequently, a report was ordered that was intended *"for internal purposes... not for public consumption".* At a meeting at Broadcasting House on 30th April 1985, Protheroe said that he felt *"haunted"* by the contrast between the BBC's presentation of the day's events and amateur footage that was later broadcast on the Open Space programme, the latter of which painted a very different picture of the police tactics. Editors told him that news crews often risked being attacked by picketing miners if they went out too far behind the picket lines. There was a *"tendency of the police to behave well when cameras were present"*, although some of the striking miners did not often apply a similar standard.

The subsequent pay out by South Yorkshire Police highlights the extent to which the police overstepped the mark in carrying out their duties. There were images which appeared on TV of police officers repeatedly striking pickets with their batons. One of the most famous images to come from Orgreave, which would later become an icon to mark police brutality of the strike, depicts a

36 This document was obtained under the Freedom of Information Act by Tony Harcup of the University of Sheffield, who discusses this and other aspects of the miners' strike in the book 'Settling Scores: The Media, The Police and the Miners' Strike', edited by Granville Williams and published in 2014 by the Campaign for Press and Broadcasting Freedom.

female photographer in the thick of the action, with a police officer on horseback swinging his truncheon directly toward her head. There were 95 men that were charged with riot, unlawful assembly or obstruction following the events that day, all of which were subsequently dropped with the prosecution withdrawing the evidence given by police officers, many of which were near identical in relation to each defendant. Michael Mansfield QC who defended many of the men said that the prosecutions were the *"biggest frame-up ever"*, arguing that South Yorkshire Police had still not corrected the practice of fabricating evidence by the Hillsborough disaster five years later. Mick Antoniw, who also represented striking miners and is now Assembly Member for Pontypridd provided a statement for this research:

"After 10 weeks of listening to and examining Police evidence during the Orgreave trial, it became apparent to all that the police evidence was not only unreliable but had been co-ordinated and corrupted to build a case of riot and unlawful assembly against the arrested miners. To me it was clear that this could only have occurred as a result of a political conspiracy at the highest level involving government and senior police officers. It amounted to an attempt to pervert the course of justice. Injustice and abuse of power must always be exposed and the only way this can now be achieved is by a public enquiry."

Representations made in Parliament however, painted a very different picture, with the police being portrayed as victims of the violence who were provoked to respond with a heavy hand.

On 19th June, the day after the incident, Leon Brittan said, *"The violence yesterday was concentrated at the Orgreave coking plant. The police estimate that at nine o'clock yesterday morning some 10,000 people were in the vicinity. They were there to stop the British Steel Corporation from exercising its lawful right to remove coke from the plant. The police were subjected to a considerable level of violence, and to deal with it found it necessary to use both mounted officers and officers equipped with shields and helmets. Ninety-three arrests were made. Of those arrested, 26 have been charged with riot. The remainder have been charged with unlawful assembly, assault or public order offences. Twenty-eight police officers suffered injuries. The disorder, during which large numbers of missiles were thrown at police officers, continued until after mid-day. Apart from the physical violence, a field close to the lines of police officers was set on fire and three vehicles were removed from a local yard and set on fire. A car filled with rubble was pushed down a hill towards the lines of police officers. Fortunately, it merely hit a wall. A barrier was erected in the road and set on fire...*

"The government can and must give the police the support that is needed in their difficult task of preventing and containing violence, and dealing with it when it arises."[37]

The papers reveal, as already discussed, that rather than giving support to the police, ministers, as previously pointed out, were putting pressure on them in order to bring more miners before the courts. The courts were also pressurised, but this will be alluded to further on. The result of these pressures on police – the stern approach taken by the force and the fabrication of evidence – was without doubt an attempt to deter anyone from taking part in any picketing which ministers felt would strengthen the miners' and the union's cause. Had this practice within South Yorkshire Police been corrected following the incident at Orgreave, the cover up of evidence which has emerged in relation to the Hillsborough disaster may never have happened.

In addition to intelligence gathered by police used to tackle the miners, there were other sources of information, although the content and sources remain unknown. Firstly, it is clear that there was an *"informant"* within the TUC: a paper released under the Freedom of Information Act, addressed to MacGregor says:

"Tim Bell called:
His informant at the TUC has confirmed what you said, ie:

1. *They are trying to stop NACODS from settling:*
2. *They are trying to rewrite the peace formula to accommodate Scargill."*[38]

There is also another indication that intelligence services and infiltrators were used to gather evidence relating to the dispute. Another note contained in the Prime Minister's private office files, from the private secretary, says:

"Intelligence related to the Miners' Dispute

37 Hansard, 19th June 1984.
38 Ian MacGregor files.

The Prime Minister has noted without comment the Home Secretary's minute of 3 August on this subject.

I am sending copies of this minute to Richard Hatfield (Cabinet Office) and to Sir John Jones."[39]

The content of the Home Secretary's minute however, has been retained under section 3(4) of the Public Records Act 1958. The section referred to under this Act states that:

"Public records selected for permanent preservation under this section shall be transferred not later than thirty years after their creation either to the Public Record Office or to such other place of deposit appointed by the Lord Chancellor under this Act as the Lord Chancellor may direct: Provided that any records may be retained after the said period if, in the opinion of the person who is responsible for them, they are required for administrative purposes or ought to be retained for any other special reason and, where that person is not the Lord Chancellor, the Lord Chancellor has been informed of the facts and given his approval".

39

THE CRIMINAL COURTS

The criminal courts, as in any society, acted as a means of dealing with some of the shocking and horrific acts of violence and intimidation committed on the picket lines. The problem was however, that it was recognised by the Home Office that the strategy of deploying Police Support Units from other areas would increase tensions and therefore escalate the violence. However, as it always has been and should always be the case, government ministers had a duty and crucially important responsibility to ensure that the rule of law is upheld by providing the courts with the necessary powers and resources in order to deal with offenders and maintain public confidence and trust in the criminal justice system. There are some suggestions in the cabinet papers however, that ministers attempted to intervene on a level that would best serve their objectives by increasing overall

efficiency of the courts. This strengthens the case that ministers sought to utilise the courts as another political weapon of the state against the miners. Discussions were even had over central influence on the administration of local justice as a possibility of overcoming some of the barriers that the government were faced with in defeating the miners.

Ministerial concerns over the courts' progress in dealing with matters relating to violence from the strike were raised a number of months into the dispute. At a meeting held at Downing Street on Monday 16th July, following a report from the Home Secretary, the point was made that, *"There was continuing cause for concern about the delays in bring 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 (e.g. 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".*

Whether the concerns were being raised by the courts at local level is unclear, but it later becomes clear that the concerns over slow justice were those of ministers. There are suggestions, which will later be alluded to, that the courts were pressurised into requesting stipendiary magistrates, who sit alone and are legally qualified, in order to increase the rate at which proceedings, both summary and committals, were dealt with.

Summing up the discussion on 16th July, the Prime Minister said, *"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".*
The same day, another meeting was held, where the Attorney General reported specifically on the developments within the courts.

"So far, approximately 20 per cent of the 2,800 cases had been dealt with in magistrates' courts. This was regarded as unsatisfactory but even more worrying was the slow progress in securing an outcome from indictable offences where, for the most part, not even committal proceedings had been secured. The two main courts concerned, Rotherham and Mansfield, were dragging their feet over the appointment of stipendiary magistrates..."

At this meeting, it was agreed that the Lord Chancellor would *"be invited to the next meeting of MISC 101 to consider this question".*

Subsequently, the Lord Chancellor, Lord Hailsham, wrote a *"confidential"* letter to the Prime Minister on 16th May 1984, which said *"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."*

It details the number of cases that were heard at each court site, including the number of those convicted of offences and the subsequent sentences that were handed down by those courts. Additionally, a report was sent to the Prime Minister from the Attorney General Michael Havers, written on 4th June, which says, *"We start with the general comment that, although the Home Departments have overall responsibility for the criminal law, many aspects of the daily operation of the criminal justice system are managed at local levels 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 document also refers to a test case on the extent of police use of the common law to stop people travelling to a scene of an *"actual or apprehended breach of the peace".* The case, which was due to be heard in summary jurisdiction in a Nottinghamshire magistrates' court, it was indicated, would proceed on appeal to the Divisional Court regardless of the outcome. The Attorney General advised the Prime Minister that his *"officials [were] in touch with the prosecuting authorities on an informal basis and [were] monitoring the situation".* He indicated that an adverse ruling by the senior court would have severe implications for effective police action, saying that *"only controversial primary legislation could restore the position".*

An appendix to this report, prepared by officials from the Home Office, refers to the appointment of stipendiary magistrates, saying *"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".*

At a subsequent meeting held on 18th July, the Lord Chancellor defended the courts, saying that the blame for the delays laid with the police, who were failing to bring committal proceedings before the courts. He was noted 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 being 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".*

It was acknowledged however, that the appointment of more stipendiaries would not necessarily mean that cases are dealt with more speedily in relation to either way offences, because defence lawyers could demand the use of the *"ancient and intricate"* section two proceedings, where evidence is given in the magistrates' courts in full, so that the bench could decide, based on that evidence, whether the case is so serious that their powers are deemed insufficient. It was agreed at one meeting that everything should be done to encourage the use of voluntary indictment proceedings, but also acknowledged that should defence solicitors demand progress under section two, the prosecution would be powerless to stop this. This was beneficial to defence lawyers because it gave them the opportunity to observe the evidence being given on a 'trial run', paving the way for a more informed preparation of a defence case if and when the case was finally heard at the crown court. It was acknowledged by the Lord Chancellor that this would *"slow down"* the rate at which committal proceedings took place, the choice of which *"lay entirely with the defendant".* It was suggested however that, *"In principle, an alternative, direct route to the Crown Court might be available through voluntary indictment procedure"*, a procedure by which a defendant would agree that the evidence would suggest a more serious had taken place, even though they might have contended that evidence. This would bypass the *"ancient and intricate"* section two proceedings, thereby speeding up the rate at which cases were brought to trial. Summing up the discussion, the Prime Minister said the Attorney General and Lord Chancellor should *"pursue vigorously all available means of accelerating the prosecution of alleged offences arising from the dispute and report further to the Group."*

Further mention was given to the rate of prosecution at the MISC 101 meeting held on 30th July, where the Home Secretary reported that *"a second stipendiary magistrate was being appointed at Rotherham and a further application was expected for a stipendiary at Mansfield".* He added that

"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".

At the next meeting on 8th August, it was reported by Brittan that *"The Stipendiary Magistrates who had been appointed would sit shortly. The police were being encouraged to give serious non-indictable offences priority for prosecution".*

On 28th August, Brittan reported that *"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."*

Again, the position of the new stipendiaries was mentioned on 30th August: Brittan reported that *"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".* In summing up of the discussion, the Prime minister noted that *"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."*

Although the ministers acknowledged that need for further stipendiaries was entirely to the judgement of the relevant magistrates' committees or the Clerks to the Justices, their frustration at the courts' handling of the cases later became clear, when the Lord Chancellor's department took a direct intervention on speeding up the rate at which cases would be heard. On 31st August, a note was sent to the Prime Minister from the Attorney General, which informed her of a discussion that he had had with Tom Legg, a deputy secretary in the Lord Chancellor's department (the Lord Chancellor was in Italy). *"I told him that it was essential that the Lord Chancellor should be asked to approve the following steps:*

To remind, and if necessary enforce, Magistrates' Courts dealing with miners strike cases that he is ready and able immediately to provide stipendiaries to assist in the work. The Lord Chancellor was contacted last night in Italy and has agreed to this. Today the ring round of all the Clerks to the

Justices has started and it is hoped to complete it either by this evening or first thing Monday morning. The message that is being given is that they should look carefully at the progress of business and that the Lord Chancellor is ready to provide immediate assistance under Section 15 if the delays are mounting. If there are particular courts where there is a belief of a lack of co-operation (but not in courts who appear to be very co-operative) the clerk will be told that the Lord Chancellor would use his powers to appoint a stipendiary if he felt that it was necessary regardless of whether there had been a request...

So far as publicity is concerned, there would be no objection to any statement on the lines that all the courts with this extra work had been reminded that the Lord Chancellor is ready to provide judicial assistance if they feel that the backlog is mounting up.

I think this is a considerable improvement not only because nothing has been done for so long but also because the unco-operative courts have now been warned that a stipendiary will be appointed if the backlog justifies whether they request it or not."

The intention of the Attorney-General was to hide these pressures from Parliament. Answering a question posed to him on 22nd November by Renée Short on how many stipendiaries there were intentioned for appointment, he responded by saying, "*To date, 12 stipendiaries have been appointed by my noble and learned Friend the Lord Chancellor to sir between 22 November and 21 December at Birkenhead, Chesterfield, Pontefract, Rotherham, St. Helen's and Scunthorpe. The sittings are continuous at Chesterfield and Rotherham; elsewhere they are occasional or intermittent. Further appointments will be made if requests by the relevant magistrates' courts committees.*" This conflicts with the revelations of the private papers of the Lord Chancellor, who was advised to "*enforce*" the policy on appointing more stipendiaries to deal with cases. It is evident that the judgement on the necessity for increased capacity at the courts in question through these appointments was being taken from the magistrates' court committees, who swear to an oath to act impartially and independently in their duties, by ministers, who had political motivations and allegiances. To say that appointments would be made when requests were received was a blatant lie – it is clear that the policy was to force these appointments on the courts. This of course, supports the assertions by some in opposition at the time that the courts were being politicised and used as a powerful tool in the government's armoury.

At a meeting on 4th September, it was said that *"Further attempts had been made by the Lord Chancellor's department and his [Brittan's] own to accelerate the rate at which prosecutions arising from the dispute were being dealt with."* It was reported that the appointment of extra stipendiaries, and the transferal of cases elsewhere, had *"eased pressure"* at some of the busiest courts.

The Home Secretary further said on 7th September that he would make announcements of the steps being taken, including extra police financing and the appointment of stipendiaries, to speed up the cases in the courts. He further reported on the 25th September that *"he had recently sent details in which miners charged with offences on the 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".*

Time and again, there are references to Mrs Thatcher's frustration at the failure to expedite hearings in the courts. At a cabinet meeting on 13th September, Brittan reported that of the 6,000 or more arrests that had been made, around 5,000 of the subsequent cases had yet to be heard in the courts.

The Prime Minister said that, *"violence appeared to go undeterred; both the government and the legal system risked being brought into disrepute... the government might make it known that the cause of the delay was at local level and challenge the magistrates' committees to be more cooperative".* Similarly, at a cabinet meeting on 20th September, she said that despite the strike going on for around six months, *"relatively few cases of alleged violence or other serious offences"* had been brought to trial. She demanded that Brittan ensured the magistrates' courts did *"not impose artificial or unreasonable delays"* on committing proceedings to the Crown Courts. Records from the Lord Chancellor's department show that a meeting was held between the Hailsham and some of his officials, in which *"The Lord Chancellor said that at a Cabinet Meeting earlier in the day there had been considerable pressure on the Home Secretary because of the apparent failure of the courts to deal quickly with the miners' cases".*

The Lord Chancellor had discussed the concerns of his ministerial colleagues with his advisors – *"The Lord Chancellor said that he was pleased with the way in which things had been handled while he was away but he through they there were three points on which further action was required.*

They were:-

(a) *It was clear that 10 Downing Street and the Home Office did not fully appreciate that the ordinary period of delay in Magistrates' Courts – e.g. for contested motoring cases – was about three months. The Lord Chancellor asked that the Prime Minister and the Home Secretary should be informed that this was so."*

(b) *The recent events had shown up the deficiencies in the present system with regard to ministerial responsibility. The case for having one, rather than two, Ministers responsible for the Magistrates' Courts was unanswerable. The Lord Chancellor said that he would like to send a reasoned minute to the Prime Minister setting out the difficulties and deficiencies, copying it to the Home Secretary. The Lord Chancellor went on to say that he did not think that there was a case for complete "nationalisation" of the Magistrates' Courts because it would be politically extremely difficult for Central Government to take over the role of the Magistrates' Courts Committees. What he envisaged would be the transfer of the Home Secretary's present responsibilities as had been proposed in the recent discussions. The minute to the Prime Minister might refer delicately to the fact that earlier proposals had been rejected because the Government had wished to uphold the local administration of justice – something which, ironically, was now giving rise to difficulties and criticism by Ministers."*

Additionally, the cabinet were unhappy with the sentences that were being passed on those convicted of offences – Hailsham told his advisors that "*The Cabinet were ... concerned by the apparently light sentences in the cases which had been heard".*

It also shows that, despite advice that intervention would be dangerous, senior ministers were directly involved in attempting to change the normal processes – "*the Lord Chancellor said that in the present situation where stipendiary magistrates were used, it was also important to stress that they and the lay magistrates each take a fair spectrum of the work. It was necessary to do everything we properly could to have stipendiaries sitting, but he believed that it would happen as the pressures on the courts increased. When the more serious cases were eventually committed to the Crown Court every effort should be made to bring them to early trial and there should be consultation with the judiciary with a view to the more experienced judges trying these cases. However, we must also ensure that the hearing of ordinary cases was not adversely affected by the miners' cases, and recorders and ex-judges should be brought into play as necessary. It was essential to have contingency plans to deal with situations like the present. The Lord Chancellor asked that his speech material should contain references to contingency plans but without specifically mentioning the miners' dispute."*

The Lord Chancellor insisted that the main defect was not one of competency of the courts, but the overall structure, which leads to normal delays in bringing cases to trial. But his private office files paint a different picture to those of the cabinet meetings. The officials, who were much more reckless in leaving traces of what actually happened, noted that in a meeting held on Magistrates' Courts with senior officials in the office, *"The Lord Chancellor said that at a Cabinet Meeting earlier in the day there had been considerable pressure on the Home Secretary because of the apparent failure of the courts to deal quickly with the miners' cases."*

Following this pressure, Britain said on 25th September that he would work with Hailsham would see what could be done *"to expedite trials".*

By 27th September, Brittan reported that *"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 was also reported that from more than 7,000 arrested, 1,200 had faced trial.

A note marked *"CONFIDENTIAL"* was sent to the Prime Minister from the Attorney General on 4th October, which reads, *"Following out meeting at Cabinet this morning, I have spoken to the D.P.P [Director of Public Prosecutions] who is going to take over the case involved Mr Taylor who was forced off the road and threatened. He is also going to consider those more serious cases which he could properly take over. He is drawing to the attention of the County prosecuting solicitors the need to apply for expedited trial in appropriate cases and generally he will keep a close eye on the situation. I shall also be discussing with him cases which it might be necessary to move out of Yorkshire for trial either at the Old Bailey or a more friendly court".*

Although the content of the discussions is debatably an intervention on the part of the Attorney-General, he was asked a question in the House by Mr John Morris on 3rd December 1984 during a debate on prosecutions arising from violence on the picket lines.

John Morris: *"Has any policy guidance been given either by the Attorney-General to the director or by the director to the chief constable on this issue"*

Solicitor-General: *"No, Sir."*[40]

Although there is no suggestion that any formal policy guidance had been given to the director for public prosecutions by the Attorney-General, it is clear that discussions were taking place on an informal basis between officials and those making decisions regarding prosecutions.

Further stipendiary magistrates were on 7th October reported to have been appointed in *"a number of areas where there was a backlog of cases"* arising from the dispute. It is not clear whether these stipendiaries were appointed as a result of requests being made by the courts in question, or whether it was deemed by the Lord Chancellor that he should make the appointments without such a request being submitted by the magistrates' committees at the courts in question.

At a cabinet meeting on 18th October, Brittan said that inroads had been made into the backlog of cases and *"over 50 people had now been sentenced to terms of imprisonment".*

At the ministerial group on coal meeting, held on 13th November, Havers said that the backlog of cases had been *"greatly reduced"* in the magistrates' courts as a result of nine additional stipendiaries being appointed to sit. The Prime Minister again said that there should be discussions exploring *"further ways of reducing what still appeared to be unacceptable delays in trying the most serious criminal cases".* She summed up a meeting held on 26th November, in which she said that the Attorney General, consulting with the Lord Chancellor and Home Secretary, *"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".*

On 10th December, Giles Shaw, minister for the home office reported that there were *"plans to deploy three more stipendiaries at Rotherham, Chesterfield and St Helens early in the new year to expedite hearings".* Rotherham had been one of the courts that had been initially accused of *"dragging their feet"* about the appointment of stipendiaries in July 1984.

In addition to these revelations, Mrs Thatcher was advised that it could have been worth *"examining the possibility of mounting a conspiracy charge against union leaders inciting pickets to violence"* by John Redwood, her adviser at one point. Government ministers claimed that, where appropriate, charges would not be brought about on their advice when public calls in Parliament were made by Tory backbenchers, but on the evidence gathered by both the police and examined by prosecutors –

40 Hansard Commons, 3rd December 1984.

this was clearly not the case: the government had a direct say in matters such as this and had this been decided as the correct course of action to take, there is no doubt that ministers would have liaised informally through the appropriate channels to bring about these charges.

Although the government's intervention within the courts was not kept secret from the House or from the public (it was well reported in the press that further stipendiaries were being appointed by the Lord Chancellor for the purpose of easing pressure on the courts), the cabinet papers show clearly that ministers were unhappy and *"concerned"* with the speed at which the courts were dealing with the cases arising as a result of the coal dispute, and were prepared to remove judgement for the need to appoint further stipendiaries from the courts in question.

The ultimate aim of this whole exercise was of course, to bring those accused of offences before the courts, so that those convicted of offences arising from the picket line would be duly sentenced to act as a deterrent. To put it in the words of John Redwood, adviser to Mrs Thatcher, *"speedier use of stipendiary magistrates and of legal processes [worked] so that pickets can see their comrades being prosecuted and punished quickly for criminal offences"*[41]. The papers show the lengths to which ministers were prepared to go in overriding normal judicial processes and it is palpably clear that there were many covert interventions in order to manipulate the system to work in their favour.

DIVIDE AND CONQUER

One of the most prevailing themes that emerges throughout the whole of the dispute is the divisions that were being sought among the mining communities. This is a tactic that has been used for thousands of years and the cabinet papers exist as evidence that this was something that was played on significantly by the Thatcher government throughout the dispute. It would be wrong to say that divisions did not exist prior to the 1979 election, but Mrs Thatcher sought to widen the rifts that existed between political and social groups – or as she described them, the *"militants"* and the *"moderates"*.

41 Redwood to Prime Minister, *'Miners' and Dock Strikes'*, 29th August 1984.

The Ridley Plan advises that there is a *"tendency for nationalised industry boards to seek to centralise, unify and concentrate power. The opposite is needed – diversity, smallness and independence"*. It further goes on to state that *"One political objective must be to fragment the public sector of industry into a number of independent units, which could eventually be denationalised"*. Evidence of this tactic is apparent throughout the whole of the planning of the strike and the responses to union and industry movements during the dispute. The wheels were in motion, of course, in the 1979 general election campaign – much of the Tory strategy depended upon the notion that *"Labour isn't working"*, and the electorate was told that the nationalised industries, and in particular the coal mining industry, had the power to hold the country to ransom.

This was very much the beginning of the plan to split the country so that the Tory government could begin the process of denationalisation. But the biggest and most dangerous threat to the plan was the trade unions – only when this movement had been destabilised and divided would it be possible to provoke a strike where the government could win.

The foundations of division came however, well before industrial action was called. The catalyst of this was the introduction of the miners' bonus payment scheme, which replaced the National Power Loading Agreement (NPLA) in the late 1970s. The NPLA was introduced to replace a piecework system and brought about a unity that the miners had never had before. It guaranteed a proper wage for the miners and gave them financial security. Before its introduction, many miners were faced with poor geological conditions, having to work harder than their colleagues in a geologically sound region in order to earn a similar level of wages. The bonus scheme however, restored a system loosely based on piecework, or payment by results, whereby miners were paid for each shift, but this was combined with a bonus for their output. For their efforts, the unions were instrumental in enforcing the united tendency innate in the Labour movement, but the bonus scheme brought about a fissiparous attitude that would break this unity – a key challenged faced by free market thinking. The division brought about by the bonus scheme was key to the question of closures: it was widely known that some areas such as Nottinghamshire, where the geological conditions were good, mining opinion was moderate, inevitably leading to these areas suffering the heaviest picketing and most severe violence. Scargill was often criticised for refusing to hold a national ballot on strike action, but both he and some who were close to him in the NUM at the time said that it would not be fair for miners whose jobs would be safe to determine the future of pits where jobs would be inevitably lost as a result of the impending closures.

This division was one of the most important cracks within the mining industry that was played on by Thatcher and her ministers in order to split the union and ultimately win over the opinion of the moderates and the public. There are even suggestions that Thatcher, through her informal advisor David Hart, was responsible for helping to establish the breakaway union, the Union of Democratic Mineworkers (UDM). It was widely acknowledged among Thatcher's closest advisors, including John Redwood, that these divisions would play a clear role in increasing support for the government's cause. He advised her on 29th August 1984 to *"use speeches and NCB propaganda to drive a wedge between different factions in the NUM Executive, playing on the split between McGahey and Scargill".*

During the pay round negotiations in 1983, it was acknowledged that the disunity between moderates and militants would provide the opportunity to covertly provoke a strike and turn miner against miner. In advice given to the Mrs Thatcher in a note on 14th September 1983, Nicholas Owen outlined the need for a reasonable pay offer, so that the government could retain moderate loyalty.

"The Government has a unique opportunity to drive for a low settlement, of say 3%; it has just won an election endorsing its policy on inflation; the miners' leaders have been defeated decisively in previous ballots and have been discredited at the TUC Conference; the coal industry's finances have been exposed by the Monopolies Commission Report and by statements by Peter Walker; power station endurance has now been increased to six months.

It will be argued that a low offer of 3-4% will drive the moderates into the arms of the militants whose objectives are to oppose closures and pick a fight with the Government. This was the reason for the last year's offer of over 7%, rather than the lower figure which the NCB originally had in mind. This is an important point: the NCB needs to retain the loyalty of the moderates in order to secure the necessary closure of 25mt of capacity. Why jeopardise this for the sale of 1-2% on pay?"

He added that *"firmness of pay surely goes hand in hand with firmness on closures".* He also said that a settlement of 5% would, as well as providing an informal benchmark for the rest of the public sector, act *"against the background of a presumption in the public mind that miners get more because of their aggression".*

In advice given to her on 8th September 1983, Peter Gregson wrote that *"there is no case for making a special effort to avoid a miners' strike this year in particular, or for adopting a weak line in the pay negotiations because of fears of a strike. On the other hand it would probably not be sensible for the NCB to go out of their way to provoke a strike... it would need to be brought to an end eventually, and there is always the danger that the eventual settlement might result in higher pay than would otherwise have occurred and in assurances on matters such as closures which would constrain freedom of action in the future."*

In essence, the conditions in which a strike could occur could be created in light of long-term endurance – but provoking a strike would severely restrict the government's *"freedom of action"* to impose their political will on the industry. Gregson continues to discuss ways in which the pay negotiations could be used in order to distort the facts, presenting a picture that looked favourably on the miners before the ballot was held, but then subsequently publically published the real term increases in order to set an informal benchmark for the rest of the public industries.

"It is a feature of miners' pay that, by contrast with what appears to happen in many other sectors, the percentage increase in earnings is always argued to be considerably less than the increase in basic rates. You will recall that deliberate policy in recent years has been to ensure that the offer, presented in terms of basic rates, appears generous before the ballot and that the earnings figure has been publicised subsequently to minimise the repercussive effects of the settlement. It seems that ... settlements in the subsequent pay round tend to average out at something less than the miners' settlement. Some of the groups (notably electricity supply) who aspire regularly to pay settlements at the upper end of the range tend to look on the miners' settlement as a benchmark for this purpose."

Even though the government offered a 5.2% pay increase to the miners, this was on basic wages only, and did not apply to supplementary payments, such as bonuses. Therefore, when bonuses were added to the basic wage plus increase, the increase overall was much less than 5.2%. Say for example, a miners' actual earnings were £100 per week, of which £60 is basic pay and £40 is bonus, the increase on basic rates would mean that a miner saw his weekly basic rate increase to £63.12, with a gross pay of £103.12. The increase on earnings would therefore be 3.12% and not necessarily in line with the rate of inflation, yet Gregson clearly advised Thatcher that the line to take before a ballot was held was to indicate that the offer was for 5.2%. He further said that the *"deliberate*

policy" was to indicate after the ballot had been held that miners were getting an increase of 3.12% in order to restrict increases in pay awarded to other industries.

He continues, *"This analysis suggests that, in fixing the objective for the miners' pay settlement, it is not necessary to choose a figure which is as low as the average outcome sought in the forthcoming pay round. It is however desirable that the miners' settlement should be clearly seen to be lower than last year's in term of both rates and of earnings as this will have an important influence on whether other groups are prepared to accept less than they had last time".*

Divisions were not only sought out in the pay round, but also in through the tactic of financial attrition, with many mining families financially pressurised by the government as part of the return to work campaign. This led to accusations that the government were starving the miners back to work, but many stood firmly to their principle, just as ministers did. This was of course, a policy that went well beyond the nationalised industries and was highlighted in the Ridley Plan – he described social security as a *"fruitful field"*. This tactic of attrition, both in the implementation of the policy and through emphasising the financial loss in many speeches and literature, was effective to some extent, in that there were miners who did return to work for financial reasons, and who were subsequently branded as *"scabs"*. It may or may not have been that, as it was claimed, miners were afraid to go to work – the individual case of each miner who did return was unique in itself – but it is evident that the government's policy on making the unions pay for the strikers, whilst attempting to sequestrate the unions funds, sought to increase the *"return to work"* rate. Equally as important were the double standards that were used by the government in the dispute, who on the one hand denounced the strike as unofficial and took every opportunity to call for a national ballot, with Mr Scargill and the NUM each being fined by the courts for declaring the strike official, whilst with the other hand taking away £15 per week from each family on the basis that the strike was official and that those involved received strike pay.

But the government's policy on division extended well beyond the NUM – it was an attempt to break the solidarity of the whole trade union movement. The one pivotal moment in the dispute when ministers considered declaring a state of national emergency came in July 1984 when the dockworkers threatened with strike action. Mrs Thatcher asked for contingency plans to be drawn up so that troops could be used to move coal stock, despite the official policy that military personnel were not to be used. A separate plan, codenamed Operation Halberd, was drawn up in the event of a dock strike. Thatcher and her ministers *"stared into the abyss"* and they knew that defeat for the

government loomed. The employment secretary Norman Tebbit wrote to Thatcher, warning that *"I do not see that time is on our side".* But the government were so determined to face down defeat that they agreed to postpone plans to abolish the National Dock Labour Scheme (NDLS) in order to avoid a dispute in the docks so to concentrate full efforts on defeating the miners. Gregson had advised Thatcher that *"the political and economic stake[s] are much higher for the government in the coal dispute than the docks dispute. Priority should therefore be: end the sock strike as quickly as possible, so that the coal dispute can be played as long as possible".*

At a subsequent MISC 101 meeting, it became clear that ministers were unsure as to how to act:

"It was not clear how far a declaration of a state of emergency would be interpreted as a sign of determination by the government or a sign of weakness, not to what extent to which it would increase docker support for the miners' strike".

In a commons session on the 16th July 1984, Nicholas Ridley assured members that the Government had no intentions to change or abolish the National Dock Labour Scheme (NDLS) and, as such, the strike called by the Transport and General Workers' Union (TGWU) was unfounded.

He said, *"It has been said that dockers fear that the Government intend to abolish the dock labour scheme. Let me make it absolutely clear that the Government have no plans to change or abolish the scheme. There is therefore now no reason whatsoever for the strike".*

When asked by John Prescott whether he could again reassure dock workers of the future of the scheme, he replied, *"Since both this week and last week the Government have given undertakings that there are no plans for changing or abolishing the national dock labour scheme, that removes any excuse for the strike".*

At a cabinet meeting on the 11th July, only the week before, at which Ridley was present, the future of the NDLS was a subject that was discussed at some length, following an alleged breach of the scheme by port employers. At this meeting, it was noted by the cabinet that there was a *"general anxiety among dockers about the future of the NDLS"* and that *"dock employers generally would favour the abolition of the NDLS by the Government".*

Summing up the discussion, Thatcher said, *"The time was not opportune [...] to seek to abolish the NDLS. To do so would certainly lead to a long strike"*, adding that *"A major effort should be made over the next 48 hours through the port employers and otherwise to mobilise opinion 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"*.

It was even suggested to Mrs Thatcher by John Redwood that *"putting financial pressure on the state-owned or state-supported bad ports covered by the NDLS"* would help to avoid a strike in the docks.

Additionally, it was said at a meeting on the 14th May that every effort should be made to avoid a dispute in the rail industry. The Prime Minister 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"*.

The resulting alienation of the NUM and anyone who supported action for the strike acted a huge wedge within the industry. One covert figure who was involved in funding those who returned to work was David Hart, a close ally of Thatcher and unofficial adviser. Papers from her office show that he forwarded on a letter with the note *"Dear Tim, Please pass to PM for background information"*, dated 4th September. The letter, sent informally from the solicitor firm Ellis-Fermor, indicates that Hart had direct access to all of the solicitors acting against the NUM. The letter says, *"My Secretary has a list of all the Solicitors' names and addresses if you need further details"*. Hart was also responsible for organising and funding the working miners' anti-strike movement, which eventually led to the formation of the breakaway union the Union of Democratic Mineworkers (UDM). In October 1984, a note on file shows that Hart had called Mrs Thatcher alarmed at the fact that the press has reported his direct access to her, telling her he was *"infinitely deniable"*.

CONCLUSION

It is without a doubt that the Thatcher government operated on two levels – one which wore a mask of civility, but which covered the deliberate scheme to deceive the country and reach their ultimate political objectives, but these measures were seen as necessary in order to defeat the *"enemy within"*. The dispute was, despite vehement denials, plotted and provoked by the highest level of the Conservative party, leaving in its wake an unprecedented scale of serious social and economic

problems. It was far from serendipitous: they claimed they were neutral witnesses to the dispute, but the papers reveal that the government had a covert yet direct hand in every matter throughout the entire dispute. The papers, along with the Ridley Plan, show that despite their assertions that the miners' leadership were to blame for the strike, battle lines were being drawn long before the announced closures that provoked strike action in March 1984.

The cabinet papers reveal two faces that now characterise this era in British politics; the one where government ministers stood and took the moral high ground in condemning what they saw as a threat to democracy; and the other where these elected representatives were prepared to fiddle the laws of the land and lie to the country in order to ensure that their agenda of social and economic re-engineering was pushed through, whatever the cost to those who elected them. The papers only touch the tip of the iceberg – admissions by some that there were intelligence services involved show that in actual fact, the reasons for provoking the strike were much bigger than closing down uneconomic pits – this was about defeating what the then government, intransigent in their ideology, saw as a threat to what they defined as liberty and freedom. Whilst facts are still being kept from the public and absolute secrecy around matters concerning 'national interest' remains, those responsible will never be held to account for the devastating consequences of the bitter dispute. Ministers claimed that for their part, they were determined to defend democracy and freedom – the cabinet papers reveal that the very opposite was true – this was a politically calculated battle provoked by the government, but fought between the worker and the Seldson man with undeniable consequences.

The strategy was clear – to provoke the strike, step back and officially pursue a line of non-intervention, whilst stealthily – a phrase used a number of times in the Ridley report – attempting to create conditions in which a political victory could be secured. Miners who fought to save their jobs knew that what was being said in the public domain constituted the lies and propaganda machine of the Tory government, of which they were the declared enemy. But for many members of the general public witnessing the dispute, the papers emasculate any element of ambiguity that may have existed. Now the scale of the stitch-up is printed in black and white, the time has come to have a proper open and honest debate about the way in which citizens were treated by the highest democratically elected body in the country. The vindication of the miners does not heal the wounds that were inflicted on mining communities, nor does it enable a transition to some long-lost nostalgic era, but it is a small step down a very long road to achieving justice for the coalfields.

REFERENCES

- All extracts from Margaret Thatcher's private office files and cabinet office papers were accessed on the Margaret Thatcher Foundation website – www.margaretthatcher.org
- All media extracts, unless the source is cited or provided, were accessed at the News Room in the British Library, London.
- The private office files of the former Lord Chancellor, Lord Hailsham, were accessed at the National Archives at Kew, London.

- All Hansard extracts were accessed at the Parliamentary Archives at the Palace of Westminster.
- Other documents were kindly provided by Tony Harcup, lecturer at the University of Sheffield and Alan Travis, home affairs editor at the Guardian.