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PREM 19/1330

PART 9

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CONFIDENTIAL FILING

Financial Position of the
Coal Industry

Mineworkers' pay

NATIONALISED

INDUSTRIES

PART 1 JUNE 1979

PART 9 APRIL 1984

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
3.4.84		21/5/84					
6/4/84		22/5/84					
9.4.84		23.5.84					
10.4.84		30/5/84					
13.4.84		21.5.84					
16.4.84		30.5.84					
20.4.84		1.6.84					
25.4.84		X					
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6.5.84							
11.5.84							
15.5.84							
16.5.84							
19.5.84							

PART 9 ends:-

Energy to AT 31.5.84

PART 10 begins:-

Energy to AT 1.6.84.

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
MISC 101(84) 17 th Meeting	30/05/1984
CC(84) 20 th Meeting, Limited Circulation Annex item 4	24/05/1984
MISC 101(84) 16 th Meeting	21/05/1984
CC(84) 19 th Meeting, Limited Circulation Annex item 4	17/05/1984
CC(84) 15 th Meeting	14/05/1984
CC(84) 18 th Meeting, Limited Circulation Annex item 5	10/05/1984
CC(84) 18 th Meeting, item 5	10/05/1984
CC(84) 17 th Meeting, Limited Circulation Annex item 4	03/05/1984
MISC 101(84) 13 th Meeting	30/04/1984
CC(84) 16 th Meeting, Limited Circulation Annex item 5	26/04/1984
CC(84) 16 th Meeting, item 5	26/04/1984
MISC 101(84) 12 th Meeting	25/04/1984
CC(84) 15 th Meeting, item 4	12/04/1984
CC(84) 15 th Meeting, Limited Circulation Annex item 4	12/04/1984
MISC 101(84) 9 th Meeting	11/04/1984
MISC 101(84) 8 th Meeting	09/04/1984
CC(84) 14 th Meeting, Limited Circulation Annex item 4	05/04/1984
CC(84) 14 th Meeting, item 4	05/04/1984
MISC 101(84) 6 th Meeting	02/04/1984

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate **CAB (CABINET OFFICE) CLASSES**

Signed J. Gray

Date 30/9/2013

PREM Records Team

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copy no: 4 of 4

cc to Gregor CO



SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
01 211 6402

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

31 May 1984

Dear Andrew

I attach this week's report on power station endurance.

Mr Walker has agreed that this and subsequent reports should be copied to Margaret O'Mara in the Chancellor's office.

Yours

John

J S NEILSON
Private Secretary

COVERING SECRET

POWER STATION ENDURANCE

1. Coal deliveries to CEGB power stations last week were 0.5 mt. Coal burn was about 0.8 mt giving a stock draw of 0.3 mt. CEGB coal stocks last Sunday night were 16.7 mt with a further 1.8 mt in Scotland.
2. NCB total coal deliveries last week were 0.7 mt so that about 0.2 mt went to customers other than power stations.
3. The range of endurance outcomes remains as before:

<u>Coal Deliveries</u>	<u>Oil burn (% of max)</u>	
	<u>80%</u>	<u>100%</u>
0	early Oct	late Oct
0.3 mt/week	late Nov	mid Dec

Department of Energy
30 May 1984

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coal pa

31 May 1984

MR TURNBULL

I attach a list of the main legal provisions, compiled by Peter Shipley, which may be of use in the coal discussions, backed up by the Attorney's full statement on this matter.



JOHN REDWOOD

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To note

AT

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1. CIVIL LAW

- (a) secondary picketing: Section 16 of the Employment Act 1980 provides that picketing is lawful only if the person is picketing at or near his or her own place of work; and the purpose of the picketing is peaceful communication or persuasion.

The Code of Practice on Picketing, issued under the 1980 Act, offers guidance but does not have the force of law.

- (b) The 1982 Employment Act makes trade unions liable for organising unlawful picketing; civil action can therefore be taken against organisers of unlawful picketing as well as individual pickets.

2. CRIMINAL LAW

- (a) 1936 Public Order Act, especially Section 5 which prohibits threatening, insulting or abusive words or behaviour (maximum penalty 6 months imprisonment, £1,000 fine, or both);
- (b) 1875 Conspiracy and Protection of Property Act, especially Section 7 dealing with conspiring to carry out violence against persons or property;
- (c) riot (common law);
- (d) causing an affray (common law);
- (e) unlawful assembly (common law);
- (f) behaviour likely to cause a breach of the peace (common law);
- (g) obstruction of the highway or of a constable in the course of his duty;
- (h) 1972 Road Traffic Act, Section 159, under which the police may stop a vehicle if they suspect (f) above;
- (i) violence against the person including assault, wounding, etc (common law and statute including Offences Against the person act 1861);
- (j) criminal damage (including vandalism damage to property), Criminal Damage Act 1971;
- (k) possession of offensive weapons.

PETER SHIPLEY

DATAAH

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Written Answers to Questions

Friday 16 March 1984

ATTORNEY-GENERAL

Picketing (Criminal Law)

Mr. Steen asked the Attorney-General whether, in view of the recent activities of pickets, he will make a statement on the criminal law on picketing.

The Attorney-General: The statement that I made to the House on 19 February 1980 still applies in all its essentials, though there have, since that date, been certain changes in the relevant civil law which I shall explain later in this answer.

So far as the criminal law is concerned, the position is, as it always has been, that the criminal law of the land applies to pickets as it does to anybody else. Picketing is permissible, in terms of criminal law, only if it is peaceful picketing, that is to say, it is carried out for the purpose of peacefully obtaining or communicating information or peacefully persuading another person to work or not to work. The freedom to picket is not a licence to obstruct or intimidate.

This reflects the fundamental proposition of our law that each of us has the right to go about his daily work free from interference by anybody else. Each one of us is free, as an individual, to come and go as he pleases to his place of work. The law specifically protects our enjoyment of this right. If any one tries to deter us from exercising it by violence or intimidation or obstruction, he is breaking the law and may be punished. The freedom to picket does not confer or imply any right to stop vehicles: still less do pickets have the right to stop people going about their lawful business. Pickets have no right to link arms or otherwise prevent access to the place that they are picketing.

If pickets by sheer numbers seek to stop people going to work, they are not protected by the law since their purpose is to obstruct rather than persuade. The courts have recognised that the police may limit the number of pickets in any one place where they have reasonable cause to fear a breach of the peace. This may involve not only asking some of those present to leave but also preventing others from joining the pickets. In this connection, the code of practice which was issued under the Employment Act 1980, with the approval of both Houses of Parliament, indicates that in general the numbers of pickets should not exceed six at any entrance to a workplace. The 1980 Act itself provides that the provisions of the code of practice may be taken into account in proceedings before a court.

It is, of course, primarily the duty of the police to uphold and enforce the criminal law. It is for them to decide, consistently with that duty, what action any particular situation requires them to take. But there is no doubt that if a constable reasonably comes to the conclusion that persons are travelling for the purpose of taking part in a picket in circumstances where there is

likely to be a breach of the peace, he has the power at common law to call upon them not to continue their journey and to call upon their driver to take them no further. Any person who fails to comply with a police request in those circumstances will be committing the offence of obstructing a police officer in the course of his duty.

Turning now from the criminal to the civil law, it is and always has been a civil wrong to persuade someone to break his contract of employment or to secure the breaking of a commercial contract. However, the Trade Union and Labour Relations Act 1974, as amended, gives immunity from liability in respect of such a civil wrong to pickets who are acting in contemplation or furtherance of a trade dispute. But, since the Employment Act 1980, this immunity operates only for the benefit of a person who is attending a picket at or near his own place of work or for the benefit of a trade union official attending a picket at or near the place of work of a union member whom he is accompanying and whom he represents; and in either case only if the purpose of the picket is peacefully to obtain or communicate information or peacefully to persuade any person to work or not to work. Since the Employment Act 1982, trade unions themselves may be held liable for organising picketing which involves the commission of a civil wrong.

I hope that this re-statement of the legal position, which the Lord Advocate agrees reflects the main principles of the law of Scotland also, will serve to remove any doubts that might remain in any quarter about the strict limits within which pickets may seek to press their views on their fellow-citizens. As I said in my earlier statement to the House, it is the function of the law to protect the right of every person to make his own decision, free from violence or any other form of intimidation, on whether or not to work. The law permits no interference with that right and recognises no privilege or immunity vested in any person, merely because he is engaged in picketing, to act in a way which constitutes a criminal offence. That has always been the law and I am sure that those responsible for enforcing it will have the support and encouragement of the vast majority of the people of this country in ensuring that it is indeed enforced vigorously and without fear or favour.

Supergrass Evidence

Mr. McNamara asked the Attorney-General what guidance is given to the judges, and what criteria are used, when evidence is given in a Diplock court by a supergrass witness, concerning the verification of the testimony given.

The Attorney-General: The executive does not give guidance to judges. Their conduct of cases is governed by rules of law or statute. The law applicable to this matter is the same in Northern Ireland as in England and Wales. It is well understood and generally available in text books and reported decisions. I refer the hon. Member to the written answer that I gave on 24 October 1983 and to what I have said on the matter in this House on a number of subsequent occasions.

PRIME MINISTER

COAL DISPUTE

I have arranged a meeting tomorrow afternoon which will be attended by the Chancellor, the Secretary of State for Energy, the Secretary of State for Employment and Mr. Gregson. The meeting should be in two parts:-

- (i) Costs of the dispute and financial implications of re-building stocks.
- (ii) The game plan for bringing the dispute to an end.

On the first, Mr. Walker has circulated a note which shows that the cost of the dispute is running at £25 million a week. If it were to end by 1 July the cost would be £325 million, and if to 1 October £650 million. In addition, re-building stocks to six months endurance is likely to take around five months and cost around £700 million in addition to the costs of the dispute itself. This assumes that continued oil burn will be necessary. It is important to realise that oil burn is needed, not because stocks on the ground are too low but because, on present capacity, movement between pits and power stations is insufficient.

There are no decisions to be taken at present; how quickly Ministers feel stocks should be re-built will depend on the circumstances in which the strike ends. You should, however, commission work now on how to increase movements of coal from pits to power stations in order to reduce reliance on extended oil burn.

On electricity prices, Mr. Walker continues to advocate delaying any increase until the end of the strike. This may well be sensible but you should look critically at the suggestion in paragraph 23 that the costs of the strike or the costs of re-building stocks should not fall to consumers. The truth is that consumers have been given continuity of supply and should be required to pay for the the privilege.

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On the Game Plan it is essential that there should be an open discussion. Ministers will not wish to wake up one morning to find that the NCB is in the middle of negotiations about closures without their ever having had the opportunity to discuss what the Government would wish to come out of the strike. The following points may be worth bearing in mind.

- (a) It will be extremely difficult to get the NUM to accept total defeat on the closures issue.
- (b) Mr. Scargill will have to withdraw from his public position on uneconomic pits; that itself would be a presentational victory for the Government but very far from an adequate victory in substance.
- (c) It is crucial that the NCB emerge from this dispute with enough flexibility on closures not only in the current year but in the next few years to make possible worthwhile public expenditure savings within the lifetime of this Parliament. Undertakings on no compulsory redundancies should be given only if they can be delivered in future years as well.
- (d) Although the talking should be between the NCB and NUM the Government should not be directly involved. The Government has too much at stake to allow the NCB a completely free hand.
- (e) We need to have some clear ideas as to what our desired objectives and minimum requirements are, and how they can be achieved in negotiating whether by agreement to a phased programme, by new agreed procedures or in some other way.

Mr. Walker will have spoken to Mr. MacGregor in the morning and will, therefore, have no excuse for not knowing or not telling what the NCB is planning.

30 May, 1984

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10 DOWNING STREET

From the Private Secretary

30 May 1984

Your Secretary of State had a telephone conversation with the the Prime Minister at Chequers shortly after 9 am this morning. He reported on the arrest of Mr Scargill, and the occupation of Hobart House by Kent pickets, earlier this morning.

Your Secretary of State said that it was increasingly clear that Mr Scargill was aiming at mob rule. He would make this point in a speech at Oxford today, saying that the choice lay between mob rule on the one hand, and people taking civilised decisions themselves on the other. He would add that if the police had not acted so courageously, mob rule would have succeeded in closing not only the mines but also the power stations and the steel works. But because of the police action, mob rule had failed and law and order had been maintained.

The Prime Minister agreed that it was right to present the issues to the public in this way. She would make similar points when speaking at Banbury later in the day. It was vital that all sensible opinion should be mobilized against intimidation and violence.

Describing events at Hobart House, your Secretary of State said that about 70 Kent miners had succeeded in obtaining entry to the building and were now occupying the first floor. It seemed probable that they were going through papers. The police view was that the mere fact of entry (which had not apparently been forcible) was a civil matter. But the removal of documents would be a criminal offence, and the police were alert to this possibility. Your Secretary of State said that it seemed that Mr Scargill had invited his own arrest. The Prime Minister commented that if he had indeed committed an offence it was only right that he should now be charged. Tactics of lawlessness and intimidation could not be ignored.

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I am sending a copy of this letter to Nigel Pantling
(Home Office).

David Barclay

John Neilson, Esq.,
Department of Energy

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TRANSCRIPT OF PRIME MINISTER'S COMMENTS ON COAL DISPUTE MADE
AT BANBURY WEDNESDAY 30 MAY 1984 - LUNCHTIME BBC TELEVISION
AND RADIO NEWS

You saw the scenes that went on in television last night. I must tell you that what we have got is an attempt to substitute the rule of the mob for the rule of law, and it must not succeed. It must not succeed.

There are those who are using violence and intimidation to impose their will on others who do not want it. They are failing because of two things.

First, because of the magnificent police force well trained for carrying out their duties bravely and impartially

And secondly, because the overwhelming majority of people in this country are honourable, decent and law abiding and want the law to be upheld and will not be intimidated, and I pay tribute to the courage of those who have gone into work through these picket lines, to the courage of those at Ravenscraig and Scunthorpe for not going to be intimidated out of their jobs and out of their future. Ladies and Gentlemen we need the support of everyone in this battle which goes to the very heart of our society. The rule of law must prevail over the rule of the mob.

AM

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Ref No 59

30 May 1984

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Speaking in Oxford today, Mr Peter Walker, Secretary of State for Energy, said:

"The battle we are witnessing is not a battle to improve miners' pay and conditions but a battle enthusiastically supported by Marxists to see whether or not the mob, using mob violence, can rule.

"Only the courageous and tenacious action of the police has stood between these rights and freedom, and the triumph of violent mob rule. As a result this country has been saved from chaos. If the police had not done their duty then by now violent mobs would have closed every power station in the country, even though the power workers want to work. The mob would have closed every steel works in the country, even though the steel workers desperately want to work. The mob would have closed every coal mine in the country, even though virtually all those mining areas that have had a chance to vote have voted to work, not strike.

"But the rule of law has been maintained and the mob has failed everywhere. From Ravenscraig to Orgreave, from Nottinghamshire to Lancashire, the mob, often violent, has tried and failed because the police have protected ordinary workers from mob intimidation.

"The Government is determined to continue to uphold the right to work and freedom under the law.

"It is quite clear that this mob violence is not in the interests of miners. For what have the miners on offer? A pay deal better than that already accepted by steel workers, railway men, power workers or gas workers; a capital investment programme which is in the very first rank among capital investment programmes for the industries of this country; and a guarantee that where totally uneconomic pits now need to be closed, every miner working in them will be able to continue to work in the industry if he wishes to do so. None of these are reasons for a day's strike let alone for mob violence around the country.

"Mob violence will achieve nothing. Organising violence or posturing on picket lines will lead nowhere. I believe that the majority of workers in the coal industry realise the futility of these tactics and how many people they alienate; they understand what is now needed is to get back to a joint effort to take advantage of a great opportunity and make this industry an industry that brings prosperity and success to the miners and their families."



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ECL

10 DOWNING STREET

From the Private Secretary

30 May 1984

Cost of Policing Miners' Dispute

Thank you for your letter of 24 May to Andrew Turnbull about the above. The Prime Minister has noted the Home Secretary's view that the arrangements he announced on 11 May are sufficient, subject to the possibility that a lump sum payment to Nottinghamshire may become necessary.

David Barclay

Nigel Pantling, Esq.,
Home Office.

A handwritten signature in dark ink, appearing to be 'Nigel' or similar, written in a cursive style.

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COPY NO 1 OF 3



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SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

Andrew Turnbull Esq
Private Secretary to
The Prime Minister
10 Downing Street
LONDON SW1

29 May 1984

Dear Andrew,

COAL DISPUTE: FINANCIAL IMPLICATIONS AND THE
REBUILDING OF STOCKS

I attach a copy of the paper my Secretary of State
has prepared for his meeting with the Prime
Minister and the Chancellor at 4.30 pm this
Thursday.

I am copying this letter and paper to David Peretz
in the Chancellor's office. Mr Walker has asked
that the paper should only be seen by those who
strictly need to know about its contents.

Yours

John

J S NEILSON
Private Secretary

SECRET

P.M.
Chancellor
Energy Sec.

cc Mr Gregson C.O.

29 May 1984

COAL DISPUTE AFTERMATH:
FINANCIAL IMPLICATIONS AND THE REBUILDING OF STOCKS

1. The financial effects of the coal dispute and the nature and cost of the problem of stock rebuild will depend on how long the strike continues and how fast we decide to rebuild the stocks. But they could also be much affected by the terms on which the strike ends. If management's hands were tied by the settlement, that could affect the freedom to rebuild stocks, further postpone NCB viability, increase future subsidies and have pervasive cost effects in the economy e.g. on public sector pay. The contrary is also true. It is not possible to measure any of this with confidence until the outcome is clear. It was agreed at the Prime Minister's meeting on 15 May that no final view could be taken on financial aspects or on stock rebuild until the circumstances of the end of the strike were known.

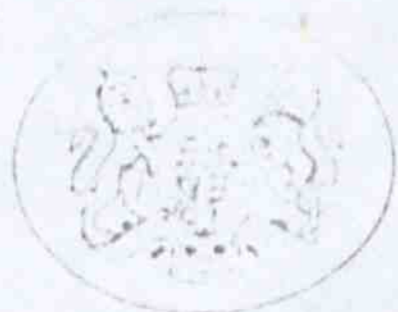
2. However, this note tries to suggest some orders of magnitude. The first part of it is about costs during the strike. The note begins by identifying the main factors affecting the PSBR. It then describes, with due reservation, two scenarios for the duration of the strike and puts a rough PSBR price on each of them; and tries to estimate the effects of each scenario on the external financing position of the NCB and the CEGB. The second part of the paper deals first with the physical and then with the financial problems of stock rebuild under the two scenarios.

Finally, there is a section on the recovery of net CEGB costs from electricity consumers .

The Strike Period: Nature and Scale of PSBR Effects

3. Estimating these effects means ignoring all intra-public sector transactions, "consolidating" the coal and electricity industries and looking solely at transactions with the private sector. The main effects are:-

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- (i) NCB wage savings, less losses of sales revenue from the private sector. Loss of NCB sales revenue from the CEGB is within the public sector. The net effect at present, with a quarter of the industry still working, is a saving of about £25/30m a week. The electricity industry is able to maintain receipts from electricity sales to the private sector at the same time as the NCB makes these wage savings by drawing on coal stocks.
- (ii) cost of CEGB oilburn, gross: about £50m a week. The offsetting savings on coal purchases from the NCB are within the public sector.

There are also some smaller and even less quantifiable effects:-

- (iii) costs of additional policing and social security benefits. Perhaps £3/5m a week.
- (iv) possible effects on NCB investment. For a strike ending on 1 July, the NCB are now saying their 1984/5 capital expenditure would be £730m instead of £800m. But there may be catching up or additional costs in either 1984/5 or 1985/6.

4. The net cost to the PSBR of these factors can be put very roughly at £25m a week while stocks last. But there are many indirect effects. For example CEGB and industrial oil purchases have certainly firmed the crude oil price. A plausible estimate puts this effect at 30 cents a barrel, equivalent, allowing for term sales, to 15 cents a barrel on all North Sea oil sales and thus worth about £5m a month in tax to the Exchequer. The strike has weakened the exchange rate, with a variety of effects including an

..increase

increase in sterling proceeds of North Sea oil taxation. There is some loss of tax revenue because of the loss of output. Many of these effects are likely to be temporary. On the other hand the benefits to the PSBR and the economy from an outcome to the dispute which enabled the NCB to eliminate high cost output would be likely to be large and permanent.

Aggregate PSBR costs of two strike scenarios

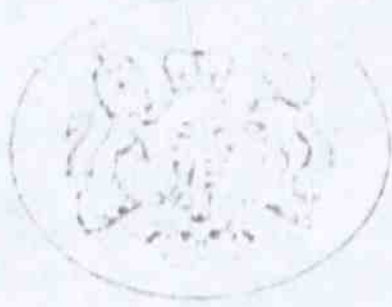
5. Two scenarios useful as illustrations are (A) that the strike ends on 1 July after 16 weeks or (B) on 1 October after 29 weeks. That would mean 13 and 26 weeks respectively in the financial year 1984/5. In both cases it is assumed that a quarter of the industry continues to work, with corresponding coal movements. Better and worse scenarios can readily be imagined. The 1984/5 PSBR costs up to 1 July and 1 October would be roughly £325m and £650m.

NCB and CEGB finances

6. The cash positions of the NCB and the electricity industry are affected by the payments between them as well as by their position in relation to the private sector. The NCB is saving on transactions with the private sector but losing large payments from the CEGB. Because of the oilburn the electricity industry loses in relation to the private sector but gains in relation to the NCB. Roughly the NCB has a net cash loss of £35m a week because of the strike and CEGB has a net gain of £10m a week. So the impact on their 1984/5 financing requirements up to 1 July and 1 October would be :-

Scenario A: NCB £455m deterioration : CEGB £130m improvement
(Net £325m)

Scenario B: NCB £910 deterioration : CEGB £260m improvement
(Net £650m)



7. These "guesstimates" are for the effects of the strike. They do not cover changes from other causes in the finances of the two industries, compared with the published public expenditure figures for 1984/5.

8. The NCB deficit grant is by statute related to the NCB's accounts and not to its cash position as discussed in paragraph 6. The scale of grant for 1984/5 and the timing of any amendment to what has been forecast could be presentationally important, but is not in itself of critical importance for the Government's finances. Its effect is to determine how much of the NCB's cash outflow is met by grant and how much by NLF borrowing. The pre-strike deficit grant estimate was £522m. This is bound to increase but by how much depends on the length of the strike and the nature and timing of the stock rebuild.

Stock Rebuild

9. At 1 November 1983 coal stocks were 31m tons. The minimum level at the beginning of the winter thought necessary to maintain supplies without oilburn, if need be in very cold weather, would be roughly 15m tons.

10. Rebuilding very quickly to a level well above 15m tons, and equivalent as nearly as possible to 6 months endurance, would be expensive, mainly because of the scale of oilburn it would require. There would be a judgement to be made about the risk of further industrial action during the winter, on top of a long and exhausting overtime ban and strike; and on the premium to be paid to guard against that risk. And broadly, the greater the risk, the more the Government is likely to be inhibited in guarding against it. If the strike were to end with the NUM in a strong position, importing, oilburn and rapid stock-build might all be inhibited. If their position were weak, rebuild would be easy but less necessary.



11. The level of coal stocks at 1 July and 1 October under scenarios (A) and (B) would be about 15m and 10m tons respectively. Pithead (including opencast) stocks, on the same assumptions, might be 24m and 26m tons.

12. If there were no serious inhibitions of the kind discussed in paragraph 10 and the Government decided to rebuild stocks as rapidly as possible towards six months endurance (equivalent to 30 million tons at the seasonal peak of 1 November, but rather less in later months), the main limitation would be transport, especially the capacity of the rail system. In the 1982 accelerated delivery programme, weekly deliveries averaging 1.85m to power stations were achieved by rail and road. It might be possible to improve somewhat on this but it seems wise to regard 1.95m tons as near the maximum. The first charge on these deliveries would of course be normal power station consumption: between 1.5 and 1.9m tons a week in October to March.

13. Imports might make some, but only a limited, contribution. They would have to be fitted into the supply and transport pattern so as not to displace any part of the 1.85/1.95m tons a week above. Extra deliveries to Thames-side power stations would tend to back out sea-borne NCB coal from Durham which could not readily be routed elsewhere. For inland power stations transport would be a problem. A doubling of the normal import rate would bring the import contribution to 60,000 tons a week.

14. For the earliest possible return to 6 months endurance a major contribution would have to come from continued oilburn, worth at a maximum 0.5 to 0.6m tons of coal a week.

15. The results of a combination of these methods for the level of coal stocks at 1 November 1984 might be:-

<u>Scenario A:</u>	26m tons
<u>Scenario B:</u>	15m tons

The dates for reaching a stock level equivalent to 6 months

.. endurance

endurance would, on these assumptions, be November/December under Scenario (A) and February/March under (B). Oilburn would be required until those dates.

Finances of Stock Rebuild

16. The cost of stock rebuild would be minimised by maximum transfer of existing pithead/opencast stocks to the power stations. This method is as near PSBR neutral as may be: there are large payments to the NCB and British Rail but little to the private sector.

17. Stock rebuild ought however not to interfere with the objective of reducing marginal, high-cost NCB output so as to achieve a balance of supply with normal, economic demand at lower average output cost. Closures should not be held up for stock rebuild.

18. But overwhelmingly the main PSBR consequence of a very rapid rebuild would be the cost of oilburn at about £50m a week; with a much smaller addition for eg extra wage costs in NCB, British Rail or elsewhere attributable to the need to move or produce extra coal for stock. Under both Scenarios fastest stockbuild involves 20/25 weeks of oilburn. The £50m a week cost would taper off somewhat as coal stocks reach their maximum at certain stations, but the PSBR charge in 1984/5 could under either Scenario be £ $\frac{3}{4}$ billion or more.

19. Oilburn apart, the effects of the rebuild on NCB and CEGB finances will depend critically on how much coal can be moved between them between the end of the strike and the end of the financial year. The figures above for rebuild and oilburn imply NCB coal movement for power station stock of about 3 or 6m tonnes in Scenario (A) or (B).

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There might be up to a further 1 million tons of extra sales by NCB to rebuild stocks in industry. The impact of the rebuild period on NCB and CEGB financing requirements in 1984/5 would on all these assumptions then be very roughly:-

Scenario A: NCB £150m improvement : CEGB £800m deterioration

Scenario B: NCB £300m improvement : CEGB £1000m deterioration.

20. These figures are very sketchy indeed and would require much reworking with the industries, but they bring out the point that for the PSBR the speed of rebuild of stocks and the extent of oil use are critical. It seems essential to get these costs down by avoiding or reducing post-strike oilburn. This might mean accepting a slower rebuild. It should certainly mean reviewing once again every possible means of moving pithead coal stocks.

21. If the strike period and rebuild period figures in paragraphs 5 and 18 are added, they suggest a total PSBR cost of £1bn for Scenario A and £1.4bn for Scenario B, if stocks had to be fully restored before 31 March 1985. In practice it is very likely under Scenario B that some costs would fall into 1985/6. Slower rebuild would of course spread more costs into 1985/6.

Electricity Consumers and Strike Costs

22. It was agreed at the Prime Minister's meeting on 15 May that it would be better to avoid any electricity price increase during the dispute. The figures in paragraph 6 tend to reinforce that conclusion since they show the cash position of the electricity supply industry as actually improved during the course of the strike, in spite of the oilburn.

... over

23. The dramatic deterioration in the finances of the electricity industry would arise in the stock rebuild period, mainly if there were then prolonged oilburn. The question would be how far consumers could be asked to pay for a decision to rebuild stocks more rather than less rapidly through oilburn. This would not be a straightforward commercial deterioration in the CEGB's accounts, or a deterioration incurred in rebuilding stocks to commercial levels. Consumer Councils could be expected to take this point.

But is being done with the long term interests of consumers in mind

24. The earliest dates from which any price increase could be expected to operate if a proposal to make it were made soon after the end of the strike would, allowing for the usual consultative processes, be about 1 September 1984 for Scenario (A) and 1 January 1985 for Scenario (B). But it seems difficult usefully to carry this question any further until the circumstances of the end of the strike and the character of the stock rebuild are known. As a ready reckoner, a 1% price increase for both industrial and commercial consumers raises £100m in a full year .

Summary

- (i) the PSBR cost of the strike is running at very roughly £25m a week; in effect, the oilburn cost less the wage saving;
- (ii) the fastest possible stock rebuild after the strike would require oilburn for upwards of 20 weeks at up to £50m a week; a PSBR charge of something over £³/₄ billion.
- (iii) there is a strong case for looking again at every possibility for moving pithead and opencast coal to power stations as soon as the strike ends.

Prime Minister

39

F 01069

I attach the latest
note on stocks.PRIME MINISTERDUB
29/5Coal: MISC 101(84)17th Meeting

In the course of the usual reports, the following points merit particular attention.

- (i) The British Rail pay settlement is welcome: you might ask the Secretary of State for Transport to report and assess any residual risk of disruption over issues such as privatisation or workshop closures.
- (ii) The challenge in the courts by three Nottinghamshire miners against the declaration by the NUM of an official strike in the county succeeded last week but appears to have had little impact. You might ask the Solicitor General to comment.
- (iii) The Secretary of State for Energy was invited at Cabinet on 24 May to discuss with Mr McGregor and report on possible improvements to schemes for helping redundant miners and their public presentation.

NCB/NUM Talks

2. You will wish to concentrate after the usual reports on the talks between the Board and the Union due to take place tomorrow, 30 May. In particular,

- (i) what is on the agenda and what are the NCB's tactics on substance and, if necessary, on presentation?
- (ii) What is the NCB's game-plan for the longer-term and how do the present talks fit in? The NCB must



emerge with adequate freedom to close pits not just in the current year but during the remainder of this Parliament.

- (iii) It was understood last week that neither Mr Scargill nor Mr McGregor would take part in the talks: it is reported now that Mr Scargill will take part but Mr McGregor will not. If this is true, how is the status of the talks affected? It will be important to make sure that the unions cannot present Mr McGregor's absence as an indication that either his authority in the Board or the Government's confidence in him may be diminishing.

3. The next meeting of the Group has been provisionally arranged for 5 June (next Tuesday).


J F STOKER

Cabinet Office
29 May 1984

RESTRICTED

Mr Turnbull

FROM: C D HARRISON

29 May 1984

ALL RECIPIENTS OF APRIL TRADE FIGURES

NOTE

Since it has now been decided that the estimates of the effects of the miners' strike on the trade figures should not be revealed to the press, please reclassify my submission of 23 May to the Chancellor as "Secret and Personal until 3.30 pm on Tuesday 29 May then Confidential". (The estimates have in any case now been revised; please see my minute of today's date to Mr Towers - not to all).

CF

CD Harrison

C D HARRISON

*I passed this out yesterday.
Could you please reclassify?*

*Dms
30/5'*

SECRET AND CONFIDENTIAL
until 3.30 pm on Tuesday 29 May 1984
then CONFIDENTIAL

FROM C D HARRISON
29 May 1984

MR TOWERS

cc PS/Chancellor
PS/Chief Secretary
PS/Financial Secretary
PS/Minister of State
Sir P Middleton
Mr Littler
Sir T Burns
Mr Lavelle
Mr H P Evans
Mr Folger
Mr Kelly o.r.
Mr Robson
Mr Bartlett
Mr Gill - B/E
Mr Turnbull - No 10 —

nbpm

*Dub
29/5*

Mr J. Webb

EFFECT OF MINERS' STRIKE ON APRIL TRADE FIGURES

Since we spoke this morning I have heard that the Department of Energy have revised downwards their estimate of the effect of the miners' strike on the April trade figures. Out of the overall deterioration of £0.4 billion in the balance of trade in oil in April, the effect of the strike has been revised downwards to £120-150 million.

2. The Department of Energy apparently do not yet have complete figures. But other influences included an increase in oil company stocks now estimated at around £150 million (thought to be due to Gulf tensions etc), a fall in North Sea production equivalent to £70-80 million, and a fall in deliveries to companies (excluding power stations) of around £100 million. This leaves a ~~negative~~ residual of around £120-160 million, which the Department of Energy attribute to ~~a~~ statistical "noise", possibly partly a result of distortions due to the Easter holiday period.

SECRET AND PERSONAL
until 3.30 pm on Tuesday 29 May 1984
then CONFIDENTIAL

3. I spoke last Thursday with Mr Robson in PE, and this morning with the Department of Energy, and we are agreed that no figures should be given to the press on the impact of the miners' strike on the oil balance. The Department of Energy are also not giving any figures on the increase in oil company stocks, and if asked will simply talk generally about the effect of Gulf tensions. So the briefing line to take is:

"No doubt some of the deterioration in the balance of trade in oil in April was due to the miners' strike. But in addition, there was substantial rebuilding of stocks by oil companies, possibly because of Gulf tensions, and a fire on a North Sea rig which led to lost production".

Only if another, very wrong, figure starts gaining currency among commentators should you mention that possibly a quarter of the ^{change}~~effect~~ might have been due to the strike.

C D Harrison

C D HARRISON



10 DOWNING STREET

From the Private Secretary

(2)
Prime Minister

I have arranged a meeting for Thursday on "Aspects of the Coal Dispute" with SS/Energy, Chancellor and M. Gregson. This will consider the paper on costs of the dispute and replenishment of stocks which M. Walker promised at the last meeting.

I believe, however, that this paper, which should arrive early next week, will provide a catalyst for a proper discussion about NCB's game plan. What is it negotiating about? What concessions can it make which don't concede the closures needed?

AT

25/3

SECRET

MR. TURNBULL

Prime Minister

Relevant to next MISC 101 and to
Thursday's meeting with PW and C/Ex

AT
25/3

38A

The Coal Dispute

Endurance

CEGB coal stocks on 20 May were 17mt with a further 1.8mt in Scotland. The underlying trend of deliveries to power stations is now running between 0.3 - 0.5mt per week. With maximum oil burn this provides endurance until the end of the year. The overall picture on endurance is therefore encouraging.

Oil Burn

CEGB oil burn is now at a maximum, saving about 0.5 - 0.6mt of coal per week. This compares with coal burn last week of 0.75mt. Oil burn is therefore a vital part of our endurance strategy.

In terms of generating mix, oil is now contributing about 40% compared with a normal figure of 4% at this time of the year. Nuclear power is providing about 18% with the balance held by coal.

Although the situation in the Gulf remains fragile, we would not expect the closure of the Straits of Hormuz to jeopardise our oil burn policy. Continued supplies are likely to be a price rather than availability question and provided we are prepared to pay higher prices in the event of a major crisis in the Gulf, we should be able to continue with 100% oil burn.

Even if supplies were not available, UK stocks could meet CEGB demand for 20 weeks. There may be some problems

SECRET

in giving the CEGB priority on fuel oil stocks, particularly as they have only recently become a large purchaser. Nevertheless we would not expect this to present any major difficulties. If the situation did become critical, we could always take wide-ranging powers under the Energy Act 1976 to regulate supplies within the UK.

The CEGB have so far managed the increase in oil burn extremely efficiently. About half the fuel oil is supplied from UK refineries and about half purchased on the spot market.

Imports

The CEGB is not importing any coal. They have made a strategic judgement that this would be counterproductive. Not only could coal imports provoke some of the moderate NUM areas, but more importantly could also jeopardise sea-borne oil supplies.

If imports were judged to be desirable at a later stage in the dispute, the Thameside power stations have the capacity to accept coal imports at an annual rate of 7mt, i.e. about 140,000 tonnes per week. This would add perhaps three to four weeks endurance.

Private coal imports to industry are increasing. The Trade Statistics indicate that imports probably more than doubled in April compared with normal levels.

Opencast

Opencast production is proceeding normally in the public sector and is averaging about 0.3mt per week. Although figures on the movement of opencast coal are difficult to come by, a rough estimate indicates that at least a third of opencast production is being moved. This

corresponds to production in areas where deep mining is continuing. In addition there is some low profile movement in striking areas through local ingenuity.

Combined private opencast and private deep mine production is averaging about 100,000 tonnes per month.

Public Presentation

Although Ian MacGregor is generally creating a purposeful and clear impression, we question whether the NCB are fully committed to the importance of skilful public relations.

The Board are not natural communicators. Professional advice is important as Michael Edwardes' use of professional public relations advisers while at British Leyland showed. The NCB have to reach two distinct audiences - public opinion and the miners. We have the impression that they regard a clear statement of the case as sufficient. However it is precisely at this point in the dispute that the presentation of the NCB's case needs to be most skilfully managed.

Public Opinion

We have obtained access on a strictly private and unattributable basis to the results of a national public opinion poll commissioned by a private interest. These show some sympathy with the miners' strike but strong opposition to the tactics being employed by Mr. Scargill. There is also a clear view that the NCB is likely to win and that most people wish this outcome. The results also show that there is a general feeling that the strike is not benefiting anybody and that the longer it continues the more jobs will be lost and the more damaged will be the coal industry. Ian MacGregor has also a significantly higher credibility than

SECRET

-4-

Arthur Scargill. There is also little support for sympathetic action by other groups of workers.

There is little public support for the use of troops and a majority against the use of civil proceedings. An overwhelming majority back the Board's case to close uneconomic pits and do not consider that Arthur Scargill will force the Board to abandon its plans. (See Attachment)

How will it end?

Although some cracks have appeared in the ranks of the NUM, there is no indication that the strike is likely to crumble in the foreseeable future. There is some gradual improvement in the number of miners at work and in the amount of coal moved, but the regional divisions remain as strong as ever. Miners' endurance is notoriously long (26 weeks in 1926 without social security) and should not be under-estimated.

On current form, there is no likelihood of a negotiated settlement. As long as Arthur Scargill insists on no pit closures, there is no basis for a settlement.

Nevertheless, the NCB should be alert to any possibilities for allowing the NUM Executive a face-saving way out. In this context, Arthur Scargill's apparent willingness to discuss, with no conditions or prior commitment on either side, the principles of the Plan for Coal in relation to the future for the industry is encouraging although, with a fanatic like Scargill, we cannot be sure it is not just a PR stunt. However, there does seem to be a significant change of emphasis on Mr. Scargill's part to emphasise that there can be no settlement unless the Board withdraw unilateral proposals for pit closures rather than to insist on this condition before talks can begin.

SECRET

It is also relevant that the Board were able to close a substantial number of pits in recent years without any major complaint from Scargill. In 1983/84 manpower reductions were 21500. 16 pits were closed and 8 merged. The present dispute was largely initiated by the high profile given to the target of 20,000 job losses and 20 pit closures. It may be possible to reduce this profile while still maintaining the Board's overall strategy. Even the Plan for Coal envisaged significant numbers of closures of which under half have been achieved.

So far we have been very successful in keeping the dispute at an industrial rather than a political level and this should be continued. This approach has made it difficult for Arthur Scargill to rally other unions. It has also had the extremely important advantage that we have been seen to be distanced from the dispute. This gives us the opportunity to adopt a higher profile later on if the need arises.

If the dispute does continue through the summer, we shall need to consider whether a change of strategy is required. Such a review should take place before the Government is seen to be in a weak position, i.e. before stocks are seen to be running out.

Given the duration of the dispute and the cost to our other policies, there should be no question of conceding the central objective of financial break even in the coal industry by 1987/88. Nevertheless, there are two approaches which could be considered in July:

- (1) A tougher approach could have the twin benefits of confirming to moderate mining opinion that the Government is determined to win and could ensure that we obtain maximum advantage from the dispute.

Tougher measures could include the withdrawal of management/union maintenance and safety cover in loss-making pits. Options to improve endurance could include transporting coal from the pits and opencast mines to the power stations and increasing imports.

(2) A conciliatory approach on the other hand could encourage moderate miners to return to work and accelerate a split of the NUM. Such measures as the phasing of closures and enhanced pit review procedures may well be discussed in the near future anyway. Other possibilities for the late summer which would not prejudice the overall strategy could include an improved productivity deal and perhaps a guarantee of no compulsory redundancies in the industry either this year or for a limited time. This would be a risky approach as it could force some increase in the already extremely attractive terms of the miners' redundancy scheme. However, this could be linked to the current discussions of an NCB/ MSC new jobs/training scheme for closure areas and could be a price worth paying in order to meet our ultimate objectives.

Conclusion

Although it is always possible that the strike will crumble, we consider that it is likely to last for some time to come. The current policy of maximising power station endurance and giving no real concessions to the NUM should be continued.

We shall need to reconsider our strategy in the late summer before we are seen to be in a position of approaching

SECRET

-7-

weakness. Either a tougher or a more conciliatory approach could offer prospects for encouraging the end of the strike, while ensuring that the NCB's overall objectives for financial break even by 1987-88 are still achieved. Before this was considered, the Government would need private access to opinion research about the state of miners' attitudes.

In the meantime both the Government and the NCB should stand firm while remaining alert to the possibilities for giving the NUM Executive some face-saving way out.

DLP.

David Pascall

25 May 1984

SECRET

SECRET

ATTACHMENT

The enclosed results from a national public opinion poll were passed to the Policy Unit via Sir Keith Joseph on a strictly private and unattributable basis.

SECRET

GENERAL PUBLIC: NATIONAL SAMPLE

17. How much in sympathy are you with the miners who are on strike? Would you say you are (READ OUT)

ALL.
%
13
31
11
18
26
1

- Completely in sympathy
- In sympathy to some extent
- Neither for nor against them
- Opposed to the miners on strike to some extent
- Completely opposed to the miners
- Don't know

18a. Mr Scargill and his colleagues are using mass pickets to try to persuade those miners still working to join the strike. How strongly do you approve or disapprove of these methods?

- Strongly approve
- Approve to some extent
- Disapprove to some extent
- Strongly disapprove
- Don't know

8
14
20
58
*

18b. Do you think the miners are within their rights in trying to bring other miners out by mass picketing tactics?

- Are
- Are not
- Don't know

22
73
5

19. Who do you think is going to win the miners strike - Mr Scargill and the NUM leadership or the National Coal Board and the Government?

- Scargill
- NCB
- Don't know/neither

12
51
37

20. Which of them do you want to win?

- Scargill
- NCB
- Don't know/neither

24
52
24

21. Looking at this card which of these statements is nearest to your own view?

In the end the Coal Board will win because they hold most of the cards and miners will not be able to afford to stay out for months.

25

In the end the miners will win because they have a just cause and whatever it costs they will hold out until the Coal Board gives in.

12

Nobody will win. The longer the strike goes on the more jobs will be lost and the more damaged will be the coal industry.

60

don't know

3

There are so many statements being made on television and in the newspapers by Arthur Scargill and Ian MacGregor, Chairman of the Coal Board that many people are confused.

Which of them, Arthur Scargill or Ian MacGregor would you say is speaking most of the truth?

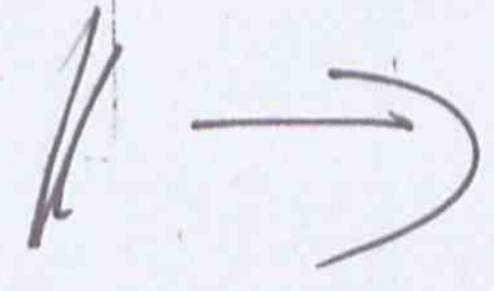
Arthur Scargill
 Ian MacGregor
 Neither is speaking the truth
 Don't know

16
 38
 27
 19

Q25b. Thinking of these groups again would you say whether, in your opinion, each of these groups of workers should or should not support the miners strike?

READ OUT

	Should	Should not	Don't know	%
The dockers				
<input checked="" type="radio"/> Steel workers	24	67	9	%
<input checked="" type="radio"/> Railwaymen	25	66	9	%
Electricity supply workers				



Q2. There are various things which could be done to stop the coal blockade of steel works and power stations. So far they have not been tried because of the fear of inflaming the strike, angering other unions and perhaps turning the dispute into a General Strike. Keeping that danger in mind do you think it would be wise or wise to try the following:

READ OUT

	Wise	Unwise	Don't know
The Government to bring in troops, to see the coal moved to the steelworks in serious danger, and to electricity power stations threatened with shutdown, due to lack of coal	23	71	6
British Steel Corporation to seek a court injunction against the NUM and the rail unions and possibly get very heavy damages from the union	39	46	15
The Central Electricity Board to seek a court injunction against the NUM and the rail unions to ensure that coal continues to reach power station			
British Rail to seek a court injunction against the rail unions and some railway workers who are badly damaging their business by paralysing the movement of coal trains			

Q3. The Coal Board is currently producing about 4 million tons of coal a year for which there is no market. They are planning to remedy this by closing about 20 uneconomic high cost pits and getting rid of 20,000 jobs by voluntary redundancy. Do you think this is sensible or do you think they should keep the collieries open and let the taxpayer subsidise the losses involved?

Sensible to close uneconomic pits

Not sensible, should keep pits open and taxpayer subsidise

Don't know

73
 17
 10

Mr Scargill says that the miners strike will force the Coal Board to abandon its plan and not have any pit closures. Do you think he will or will not succeed in forcing the Coal Board to abandon its plan?

Will
Will not
Don't know

%
14
70
16

see NO



Prime Minister (2)

The Home Secretary prefers to stick to 90% of police costs above the threshold. But Nottinghamshire may need a lump sum as well.

HOME OFFICE
QUEEN ANNE'S GATE LONDON SW1H 9AT

24 May 1984

Dear Andrew,

DMS
29/5

COST OF POLICING MINERS' DISPUTE

Thank you for your letter of 18 May about the Prime Minister's meeting with Mr Andrew Stewart and Mr Jim Lester.

As you know, the Home Secretary announced on 11 May that he would make a special payment of 40 per cent (in addition to the normal police grant of 50 per cent) of gross approved additional expenditure above the product of a penny rate. Expenditure up to the product of a penny rate would rank for 50 per cent police grant in the normal way. I see from your letter that Mr Stewart and Mr Lester were not quarrelling with the threshold of a penny rate, but that that the central Government should pay 100 per cent of the costs above that.

As the Home Secretary said in his letter of 3 May to the Chief Secretary, he thinks it would be wrong in principle for the central Government to pay the full costs: policing is essentially a local matter, and it is right that forces such as Nottinghamshire should absorb some of the additional costs. One of the advantages of leaving forces to pay 10 per cent of the costs above a penny rate is that it gives them an incentive to economise. Subject to one qualification, the Home Secretary considers that the arrangement he announced on 11 May is a generous one.

The qualification is that, as Mr Stewart and Mr Lester have seen, the forces most affected by the dispute - Nottinghamshire in particular - face an open-ended commitment. The Home Secretary said in his letter of 8 May that he did not think that the Nottinghamshire police budget - the estimate for 1984/85 is £45.2 million - could absorb even the additional expenditure which his formula would leave them with without unacceptable consequences. The same may very well apply to the other forces most affected. The Home Secretary therefore said that some additional lump sum payment might also be necessary, but he did not propose to refer to the possibility in his announcement. The time may come, however, when a further announcement about lump sum payments will need to be made.

2.

I am sending copies of this letter to the recipients of yours.

Yours sincerely,
Nigel Pantling

N A PANTLING

Andrew Turnbull, Esq.

NAT

IND.

Arg

Coal

SECRET

24 May 1984

38

②
PRIME MINISTER

OPEN-CAST COALMINING

I asked David Pascall to help me follow up your query about whether there was any advantage in having open-cast coal produced by private sector contractors, with men belonging to the TGWU rather than the NUM. In practice most open-cast mining is already in the TGWU province.

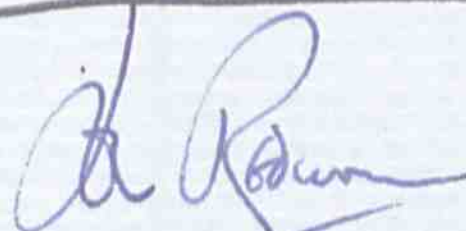
The NUM have made no impact on TGWU men mining - and in some cases moving - open-cast coal. Throughout the dispute, open-cast production has been near an average 300,000 tonnes a week, which is the normal production level.

In a recent week, when total production was 750,000 tonnes, 300,000 tonnes of this came from open-cast under licence, and a further 25,000 tonnes from private open-cast and deep mines. 610,000 tonnes were despatched to customers, which suggests that around 60 per cent of open-cast production was moved.

Department of Energy believe that this particular week exaggerates the amount of open-cast coal which is being moved generally. However, they believe that in Midlands region - including both Notts and Leicestershire - open-cast coal is being moved to markets as well as mined as normal. In Western region, some Lancashire and Staffordshire open-cast coal is moving, but in Cumberland all production is being stopped. In South Wales, Scotland, the North-East and Yorkshire, movement of open-cast coal is very difficult. The little bit that does move in the striking areas takes place with considerable local ingenuity.

Conclusion

The existence of private open-cast and deep mines, and open-cast output under private licence, is very important to the maintenance of levels of production, as it is contributing over 40 per cent of a typical week's output. Whilst there is disagreement about the amounts that are being moved, the position is much less satisfactory; but it would be safe to conclude that it is helping endurance, and it is an annoyance to the hardline strikers.


JOHN REDWOOD

P.S. Even the open cast coal not being moved is helpful; it might be drawn upon later in the dispute and it will certainly speed up replenishment after it. AT 24/5

SECRET

LATAAR

Coal file

Q What steps does the Government intend to take to ensure that miners who volunteered for redundancy do not lose redundancy benefits as a result of the present strike in the industry?

A The Government has no desire to see miners who ^{take} ~~are made~~ ~~redundant~~ ^{redundancy} penalised as a result of the strike. It therefore intends to introduce amendments to the Redundant Mineworkers Payments Scheme to enable men whose Scheme benefits are affected during the period of the dispute to receive additional payments designed broadly to compensate for RMPS basic benefit and pension supplement lost. Such amendments are necessary because under the existing Order entitlement to weekly RMPS benefit is linked to eligibility for Unemployment Benefit so that a man who is ineligible for the latter also generally loses entitlement to the former. A man's entitlement to lump sum benefits are not affected.

JEDP

AP

INTERVIEW WITH MR. SCARGILL: 24 MAY 1984

Robin Day: Mr. Scargill, do you confirm that you have had a new letter from the Coal Board this morning suggesting new talks?

Mr. Scargill: Yes, indeed, and in fact the letter is a complete departure from the Coal Board's intransigent attitude. It suggests for the very first time that these talks might offer the prospect of finding a solution to the problem and in view of that we welcome the letter from the National Coal Board and we also welcome the fact that for the very first time since last November the Coal Board appear to be at long last willing to talk about the current dispute.

RD: May I check what is in the letter. The letter is offering talks by Coal Board representatives with your representatives without conditions or prior commitments about the principle of the plan for coal as they relate to the future of the coal industry without commitment on either side.

AS: The letter in actual fact refers to a statement allegedly made by Mr. Cowan at yesterday's meeting. In fact we've got the related notes of yesterday's meeting and at no time did Mr. Cowan make any suggestion that such talks might offer the prospect of finding a solution to the present dispute. And in view of the sentence in the letter that does in fact make that reference, it is quite clear that this is a complete departure on the part of the Board.

RD: Mr. Scargill, I haven't got the letter in front of me. I haven't been able to get it from the Coal Board, but naturally they wanted you to have the letter first before I had access to it. Could you read the sentence out to which you are referring?

AS: Yes, indeed. It says "such talks might offer the prospect of finding a solution to the present problems of the

/ industry

industry"and in view of that this is of course a completely new departure. What we've said in a letter by way of reply is this "your suggestion that these talks might offer the prospect of finding a solution to the present problems is of course something entirely new and the Union is pleased that the Board are finally prepared to talk about the dispute.

RD: And are you going to attend a meeting on this basis shortly or is that yet to be arranged?

AS: No, what we've said is we emphasise that there can be no settlement of the dispute unless the Board withdraw the unilateral decision to close pits announced in their programme on 6 March which in fact is in complete violation of the Plan for Coal to which they refer in another part of the letter. However, we have said that we welcome the decision of the Board to commence talks and in particular their suggestion that these talks may lead to a settlement of the dispute and in view of the current crisis we are looking forward to an early meeting and we await a suitable venue.

RD: But you aren't asking for any further undertakings of any kind before such a meeting takes place?

AS: Oh, Sir Robin, we never have. What we've said is that we're prepared to meet the National Coal Board at any time but we have said consistently there can be no solution to the problems in this industry unless and until the National Coal Board withdraw their unilateral decision to close pits and to make redundant 22,000 jobs. Now that is our position - it always has been - and that will be our position when we meet the Coal Board in the talks suggested in their letter dated 23 May. We made that position clear yesterday.

RD: Of course, Mr. MacGregor made it clear last night, did he not, in the meeting with you and at the Press Conference afterwards that he has never actually referred ^{himself} to cutting a particular number of pits or a particular number of jobs so he's right when he said he couldn't really withdraw it. But that's good enough for you isn't it?

AS: With respect, I also had this reference from Mr. MacGregor. I find it astonishing. Mr. MacGregor is on record and on video film stating quite clearly that the plan he announced on 6 March represented the closure of 20 pits ~~XXX~~ and a reduction in manpower of about 20,000 and he's consistently made that clear in public statements and so have representatives of the National Coal Board so what he's talking about now I simply don't know. The ^{only} comment he made yesterday was ... so, I have no comment..... which represented not only the most astonishing suggestion I've ever heard in my life from a leader or so-called leader of a nationalised industry. This is something we've been trying to do for months, united left and right on the National Executive of the Union.

RD: Well that indeed is a momentous event, Mr. Scargill. Well, let's look at this now because the listeners will want to clear in their minds what you've told them that this is the first real opportunity in this long dispute for serious talks to commence without delay.

AS: Yes, it is. The fact that we've got 2,500 people arrested, 500 people injured, one killed and the President of the Kent miners in jail, means that we are obviously very interested in seeing some movement on the part of the National Coal Board. For the first time since 1 November 1983 the National Coal Board has now made an offer to talk about the dispute and has suggested that this might lead to a settlement of the present problem. That in our view is not only something entirely new but represents a first major step on their part towards reaching a solution to this problem and the solution will be a withdrawal of the pit closure plan. That was a plan they announced which was in complete and utter contradiction to the plan for coal. If that's done then all of us can sit down and talk about the expansion of the mining industry.

RD: You're willing to accept from what was said yesterday by ~~on~~ Mr. MacGregor and others that the question of what the programme is for pit closures is a flexible one and be discussed.

AS: No, I'm not. I'm not prepared to negotiate pit closures whatsoever. I'm prepared to talk about the Plan for Coal which was agreed ^{between} ~~with~~ the Conservative Government in 1981, the National Coal Board and the unions and nowhere in that Plan for Coal is there any reference to the closure of pits on economic grounds.

RD: Well, you're not saying it's reasonable to go into talks are you Mr. Scargill unless the other side ... you're saying you're not . let's start again because this is very important, are you saying that you're not prepared to go into talks unless the other side capitulates?

AS: No, what I'm saying is that we'll attend talks at any time. But we're also pointing out there can be no settlement of the current dispute unless they withdraw their ultimatum to us that the only currently in the situation is their decision to axe 20,000 jobs and close 20 pits.

RD: Let me just ask you this. Are you interested in their suggestion which I think has been made either tonight or this morning that it should be a three-man team on either side to make a working party to get the new negotiations going.

AS: So far as we're concerned, we're prepared to meet at any time and we've been prepared to meet since 1 November. The National Coal Board has never been prepared to meet us until yesterday and we've made it clear yesterday and again today and in the letter that we'll send back to them that we will meet and will discuss any point they want to raise and we want to raise and the only way that this crisis and this dispute can be resolved is that if they are prepared to withdraw their unilateral decision to pits and to axe 20,000 jobs. If that's done we can talk about the expansion of the industry along with the plan for coal.

RD: Would it help if there were an independent chairman such as some distinguished figure respected by all sides who would preside over the meetings you're going to have in future because meetings like yesterday are not much help are they?

AS: Well, I thought that the tripartite talks which we had between the Government, the Coal Board and the unions represented some kind of independence and we are prepared to adhere strictly to the plan for coal and the plan for coal talks about exhaustive pits. We've never opposed the closure of a pit which is totally exhausted. The National Coal Board are talking about closing pits with 50 years' life, pits which have been promised only a week before the closure announcement that they've got at least ^{five or} ten years' life and quite frankly you can't deal with a Chairman who has reaped havoc on the British industry. He's cost the great British taxpayer £2,000 million in six months. I think it's time he went back to the States.

RD: Well, I won't take you up on that but of course Mr. MacGregor would say that he's putting £2 million a day into the coal industry so we'll leave it there. We'll hear more about it in due course. Thank you Mr Scargill for giving us that hopeful news of the coal dispute.

LE DP

SUMMARY OF THE MEETING BETWEEN THE BOARD AND THE NATIONAL EXECUTIVE
OF THE NUM ON 23RD MAY 1984

The full Executive of the union attended, with the exception of Mr. Chadburn who was, presumably, in court. The two MP ex officio members, Mr. Eadie and Mr. Ellis, were present.

The meeting was held in Room 16. The members of the NUM Executive arrived early and held a meeting among themselves to agree their tactics for the meeting. When the Board side arrived, they were asked not to enter the room until the NUM's meeting had finished, at about 2.35.

At the beginning of the meeting, Mr. MacGregor proposed that the Board should start with a series of presentations by Board officials in the usual way, beginning with a presentation by Mr. Parker on progress with Plan for Coal. Mr. Scargill did not object to this proposal.

Mr. Parker used a series of slides to demonstrate that actual investment under Plan for Coal had exceeded the original forecast; that the demand for total energy forecast in the Plan had fallen short by some 100m. tonnes of coal equivalent. He said that coal's share of the total market had been higher than expected, but even so the demand for coal in total was some 20m. tonnes below that anticipated. He said that the performance of the industry in terms of productivity and costs had fallen well below that planned, partly because the reduction in high cost capacity over the period had been less than had been projected. He concluded, however, that the principles of Plan for Coal remained unchanged: to build a new industry to replace the old.

Following the presentation, Mr. MacGregor asked whether the NUM had any questions or comments. Mr. Scargill said that the union had no comments to make.

Mr. Edwards then explained the Board's latest view of the current and prospective market situation in the short and medium term. There was no reason to change the main lines of what had been said to the union in March: if costs could be controlled then the industry should look forward to a more stable market situation. There had been, in the latter part of the previous year, encouraging signs of stability.

Mr. Edwards showed slides indicating his current view of the underlying rate of disposals, after discounting the effects of the problems of the overtime ban and strike, showing a current potential demand of 113 1/4m. tonnes, including opencast.

Mr. Edwards went on to deal with the potential for growth if the price of coal could be reduced in real terms and relative to the costs of other forms of electricity generation. He referred to the special problems that would arise in convincing customers in the future that they could rely on security of supply. The current experiences of BSC would create a particular problem in securing an extension of the Board's present contract. In general, companies considering conversion needed to look for a two-year payback on their investment, and security of supply, and it was vital to give them this assurance if new business was to be obtained.

At this point in the presentation, at about 3.00 p.m., Mr. McGahey was ostentatiously reading his newspaper.

Mr. Edwards concluded by referring to the vital importance of the understanding with CEGB: providing this could be retained, he was confident that more coal could be sold in 1990 than the present underlying potential demand, but this depended on the industry getting its house in order.

At the end of this presentation, Mr. MacGregor again asked if there were

any questions or comments: Mr. Scargill said that the NUM had no comments to make.

Mr. Butler then summarised the provisional financial results for 1983/84. He said that, subject to the final preparation of the accounts, it appeared that the industry's deficit, before deficit grant, was likely to be £875m, or £400m., worse than in the previous year, of which nearly £200m. could be attributed to the cost of the overtime ban and the strike in March. The cash flow position had been controlled, however, and the Board had lived within the Government's cash limit of £1195m. Even so, the cash requirement had been some £200m. greater than in the previous year. Because of the industrial relations problems, only £720m. of capital investment had been carried out, compared with the plan of some £800m. Mr. Butler said it was, of course, too early to make any comment on the potential outturn for 1984/85.

At the end of the presentation, Mr. MacGregor asked if there were any questions or comments. Mr. Scargill said that there were no comments from the NUM.

Mr. Price then described the physical problems being encountered at collieries where there was no production. Conditions were seriously deteriorating on many faces and, in particular, he referred to those at Barony, Comrie and Seafield in Scotland; Brodsworth, Highgate, Markham and Askern in Doncaster; Renishaw Park, Shirebrook and Warsop in Derbyshire; Bold in Lancashire; and Betteshanger and Tilmanstone in Kent. There had been serious crushing of roadways at a number of collieries, including Seafield, Brodsworth, Markham, and Dodworth in Barnsley, and Sutton Manor in Lancashire. Where spontaneous combustion was a problem the incubation period for fires was now well advanced and, in his view, it was only a combination of luck and management skill that had saved Rossington Colliery.

Mr. Cowan referred to the Board's concern about the deterioration of collieries on strike and said that they would like to have the chance of discussing with the union what could be done to ensure that collieries were kept

in a physical state that would enable them to be reopened when the present problems were over. The Board were ready and willing to discuss such problems with the union.

Following this presentation, Mr. MacGregor again asked Mr. Scargill whether the union had any questions or comments. The union had no comments to make.

Mr. MacGregor then asked Mr. Scargill whether he wished to make a contribution to the meeting.

Mr. Scargill said that the industry was facing the most serious crisis since the end of the second world war. Mr. MacGregor had announced the Board's intention of closing 20 collieries and making 20,000 men redundant. Added to this, the previous Chairman had announced on 14th June 1983 the intention to take out 25m. tonnes of capacity. Both these statements were in complete contradiction to the intentions of Plan for Coal: Plan for Coal did not talk about closure of collieries on economic grounds.

Mr. Scargill said that the only way to resolve the present dispute was for the Board to withdraw their plan for colliery closures. If that were done, there was no reason why the NUM and the NCB could not meet to discuss the expansion of the industry. He asked whether the NCB were prepared to withdraw their closure programme and discuss sensibly the expansion of the industry.

Mr. MacGregor said he had no comment.

Mr. Cowan asked Mr. Scargill to repeat the precise words of his statement, which Mr. Scargill then did. Mr. Cowan said that he would be prepared to sit down with Mr. Scargill, Mr. McGahey and Mr. Heathfield to discuss ways of advancing the principles of Plan for Coal, if such a discussion could take place without prior commitment on either side. He would be prepared to make himself available at any time. Asked by Mr. Scargill if this meant

that the Board were prepared to withdraw their closure plan, Mr. MacGregor said that this was not what was being offered: Mr. Cowan had offered to discuss Plan for Coal without pre-conditions.

Mr. George Rees, of South Wales, commented that the meeting was a waste of everybody's time. Mr. Vincent, of Lancashire, said that he would like to ask a question. Mr. Scargill told him to "shut up" and indicated that the Executive had agreed before the meeting that no one but Mr. Scargill would ask questions. Mr. Vincent apologised and said he had been on the telephone at the time.

Mr. Cowan repeated that he was prepared to have discussions without commitment about the Plan for Coal. He understood the NUM's position on the Plan for Coal; they should understand that he was concerned to be realistic about the present underlying market for deep mined coal of 100m. tonnes. His objective was to find ways of replacing a tonne of coal costing £70 by producing two tonnes of coal at £35 a tonne. Mr. Scargill said that closure of collieries on economic grounds was a violation of Plan for Coal.

Mr. MacGregor said that it appeared that the meeting had reached a point where further discussion would be of no value.

Mr. Ned Smith referred to Mr. Scargill's remarks about economic closure. Despite Mr. Scargill's assertion, it was the case that the Coal Industry Examination Tripartite Report referred to the inevitability of some economic closures. However, he did not consider that it was constructive for either side to score points about such issues. The Board had, in March, put forward their proposed plan for the industry and were prepared to meet with the NUM and discuss this plan.

Mr. Scargill said that it was the NCB who were responsible for the present dispute by unilaterally announcing their intention to close 20 collieries and shed 20,000 jobs. He repeated that Plan for Coal did not envisage the closure of collieries on economic grounds.

Mr. Smith said that he did not think that Mr. Scargill's attitude had ~~not~~ advanced and indicated no prospect of dealing with the reality of the situation, and was unhelpful.

Mr. Cowan said that the size of the present meeting was unhelpful in furthering the discussions and he repeated his offer to meet Mr. Scargill, Mr. McGahey and Mr. Heathfield on ways of advancing the principles of Plan for Coal. Such a discussion might help in leading to discussion of ways in which the present problems could be resolved. However, he was not prepared to meet under duress.

Mr. McGahey said that the Board apparently expected the NUM to meet under duress. Mr Cowan repeated his offer of a meeting without prior commitment. Mr. Scargill said that all the Board had to do was to withdraw their unilateral proposals to close 20 pits and shed 20,000 jobs so that discussions could take place on how to expand and develop the industry.

The meeting then concluded. Mr. Scargill said that the union would like to continue to have the use of the room for a meeting among themselves, and this was agreed. The Board's side then left.

File

ADP

AT

COPY MR. D.G. BRANDRICK FOR CIRCULATION
MR. NED SMITH

23rd May 1984

P.E. Heathfield Esq.,
Secretary,
National Union of Mineworkers,
St. James' House,
Vicar Lane,
Sheffield,
South Yorkshire S1 2EX

Dear Mr. Heathfield,

I am writing to confirm the statement made by Mr. Cowan at the meeting today between the Board and your National Executive Committee, that Board representatives are ready at any time to meet Mr. Scargill, Mr. McGahey and yourself, or whoever you wish to nominate, to discuss, with no conditions or prior commitment on either side, the principles of Plan for Coal in relation to the future for the industry. Such talks might offer the prospect of finding a solution to the present problems of the industry, and I would wish to confirm Mr. Cowan's offer to talk at any time, without pre-conditions, about these problems.

I should be glad to hear from you whether your Union are able to respond to this offer.

Yours sincerely,

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Board Members
Secretary
Mr M.J. Edwards
Mr R. Rawlinson
Mr G.C. Bridgen
Mr M.H. Butler
Mr R.V. Cowles
Mr D.J. Davison
Dr P.W. Glover
Mr R.A. Hitchcock
Mr J.G. Kirk
Mr G.F. Lindley
Mr M.J. Parker
Mr Ned Smith
Mr C.V. Williams
Area Directors (by telex)

H.M. Spanton

AB 50707
AB 50756

Ref.A084/1550

PRIME MINISTER

Cabinet: Industrial Affairs: Coal

Depending on developments, the matters which may be most important to discuss tomorrow are -

- i. the talks between the NCB and the NUM;
- ii. BR's negotiations with the rail unions and the prospects for industrial action;
- iii. the efforts by moderate miners in Nottinghamshire and Lancashire to seek redress in the courts.

NCB/NUM talks

2. It looks as if the NCB/NUM talks have founded on Mr Scargill's insistence that he will not discuss the closure of any exhausted pits. If however the efforts to get talks going continue, there may be cause for concern on two grounds. The first is that the NUM might use any talks not as the prelude to a serious negotiation but as a propaganda weapon. The fact that the talks had begun could be a useful means of preventing a collapse of support for the strike. For the war-weary the end might appear to be in sight, so that there was a reason for holding on longer. Alternatively if the NCB can be provoked into the appearance of intransigence or into clarifying its intentions about closures in a way which could be made to look provocative and threatening, this could be used to stimulate a hardening of attitudes. Even in presentational terms the talking phase is a potentially tricky one for the NCB.

3. The second and more important source of concern is about the substance of any serious negotiations, if and when they develop. It is vital that some Ministers at least (you, the Secretary of State for Energy and the Chancellor of the Exchequer) should know, and be content with, the NCB's negotiating game-plan, if they have one. The NCB must emerge with adequate freedom to close pits not just in the current year but during the remainder of this Parliament.

British Rail

4. The prospects for an agreement between BR and the rail unions this afternoon do not look good. The BR Chairman, Mr Reid, has used up the negotiating freedom he was given both on the size of the offer (4.9 per cent) and on a formula which would avoid confrontation over the issue of productivity, while not weakening BR's basic position. There may be some discussion as to whether Mr Reid should be encouraged to make further concessions in the interests of averting industrial action (ban on overtime and rest-day working) threatened from Wednesday 30 May. While the effect of such action on coal deliveries would be unwelcome, it should not be viewed out of proportion. Only about half the coal deliveries currently being achieved are by rail, although the proportion is higher in the case of deliveries to power stations. Moreover there is some chance that the response to call for industrial action among the Nottinghamshire railwaymen would be less than whole-hearted and that the limited industrial action planned would in any case reduce rather than stop altogether the number of coal trains. Any further increase in the BR pay offer and an undermining of their position on productivity could have more serious wider repercussions than next week's industrial action.

Action in the courts by NUM moderates

5. Lancashire miners have succeeded in securing an ex-parte injunction against their area executive on the 5-year suspension threat, but it remains to be seen how the case will eventually go. If the judgment in the case brought by Nottinghamshire miners against their area executive and the NUM national executive is known by the time the Cabinet meets, it would be useful to have a brief discussion of its implications.

Next meeting

6. The next meeting of MISC 101 is provisionally arranged for 4.30 pm on Wednesday 30 May.

23 May 1984

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SECRET

Re
Approved by
ROBERT ARMSTRONG
and signed in his absence.

CONFIDENTIAL

CC DP



QUEEN ANNE'S GATE LONDON SW1H 9AT

23 May 1984

NRBPT

AT 24/5

Peter.

MINERS' DISPUTE: POLICING COSTS

File on BLUP.

Thank you for your letter of 10 May.

Most of the points you raised have now been settled. The one to which I have not formally responded is in the third paragraph where you say that you will look to me to meet the cost of the extra grant from within my cash-limited programmes. As I made clear when we spoke, I am afraid I cannot agree to do this. The extra costs of policing the miners' dispute do not arise as a result of a policy initiative: they are an unavoidable increase in local authority expenditure, and we have recognised this by agreeing to make the special grant. I understand why you must explore the possibility of finding a compensating reduction in planned public expenditure (whether to the extent of the whole increase, or to the extent of the grant element), but have to say that I cannot possibly find savings from my cash-limited provision, most of which, of course, is for prisons. In the circumstances, it seems to me that the extra expenditure should be regarded as a charge against the Reserve.

I am copying this letter to the Prime Minister, other members of MISC 101, George Younger, Patrick Jenkin and Sir Robert Armstrong.

Lee
Lan

The Rt Hon Peter Rees, QC., MP.

CONFIDENTIAL

Nat Ind: Coal Pt 9.





NBPM
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23/8

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon George Younger MP
Secretary of State for Scotland
Dover House
Whitehall
London
SW1A 2AU

22 May 1984

Dear Secretary of State

MINERS' DISPUTE: POLICING COSTS

Thank you for your letter of 17 May.

I am content that you should announce a special grant, analogous to that in England and Wales, but with the threshold set at 0.67p. This will allow for revaluation taking place more recently North of the Border than South of it.

There is, I note, a good chance, as things stand now, that no extra grant will be payable. If the strike continues, I hope that Chief Constables can be helped, through use of your Inspectors and in other ways, to keep additional costs to a minimum.

I am copying this letter to the Prime Minister, other members of MISC 101, Patrick Jenkin and Sir Robert Armstrong.

Yours sincerely

Jr. Gier

Jr. PETER REES

[Approved by the Chief Secretary]



10 DOWNING STREET

Prime Minister ②

The report at X is uncared. There is no meeting tomorrow. It arises from a misinterpretation of Mr MacGregor's remarks at Press Conference, where he said

" We were asked whether the NCB was prepared to meet the NUM without preconditions. We agreed and arrangements were made. NUM could not agree to withdraw preconditions. Scargill then announced that we had refused to attend talks. NCB were willing and remain willing to talk on bases originally agreed "

AT

21/5

Next Ind. Cont. 49



POSTAL SERVICE

PRESS ASSOCIATION NEWS REVIEW AT 6 P.M.

A . TOP-LEVEL MEETING BETWEEN COAL BOARD AND NATIONAL UNION OF MINeworkERS SECRETLY ARRANGED FOR TOMORROW CAN GO AHEAD, SAID N.C.B. CHAIRMAN IAN MACGREGOR, REVERSING AN EARLIER DECISION.

...LANCASHIRE MINERS WHO HAVE CONTINUED TO WORK IN DEFIANCE OF THEIR UNION'S STRIKE CALL ARE BEING SUSPENDED FROM N.U.M. MEMBERSHIP FOR FIVE YEARS, AREA EXECUTIVE RULED.

...AS HUMBERSIDE AND YORKSHIRE DAY OF ACTION IN SUPPORT OF MINERS WENT AHEAD DESPITE MR LEN MURRAY'S WARNING, SEAMEN'S LEADER JIM SLATER SAID THE TUC LEADER WS 'UNDERMINING MINERS' STRUGGLE'.

...NATIONAL UNION OF SEAMEN ARE TO CALL A 48-HOUR MID-WEEK STRIKE BY 7,000 FERRY MEMBERS IN PROTEST OVER PRIVATISATION OF SEALINK. DATE OF STOPPAGE IS STILL TO BE ANNOUNCED.

...A PRISON OFFICERS' LEADER WARNED THAT INADEQUATE STAFFING AND SPENDING CUTS COULD RESULT IN MORE JAIL ESCAPES ON THE SCALE OF LAST YEAR'S MAZE PRISON BREAKOUT IN ULSTER.

...EUROPEAN COMMUNITY ECONOMICS AND ENERGY MINISTERS WILL HOLD EMERGENCY TALKS TOMORROW ON EFFECT OF DISRUPTIONS BY GULF SHIPPING ON EUROPE'S OIL SUPPLIES.

..

211809 MAY 84

SUBJECT
re Notts

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10 DOWNING STREET

From the Private Secretary

18 May 1984

Dear Hugh,

Cost of Policing Miners' Dispute

Mr. Andrew Stewart (Sherwood) and Mr. Jim Lester (Broxtowe) came to see the Prime Minister last night. They reported that, following the Home Secretary's announcement that the Government would provide extra assistance to meet the cost of policing the miners' dispute, there was a strong feeling of disappointment in Nottinghamshire, and in particular amongst Nottinghamshire miners. The latter felt that they were in the forefront of the fight for democracy both in the country and in their union but that they were having to pay a disproportionate share of the cost of this fight. There was a strong feeling that pickets from Yorkshire were getting away with bearing much less of the cost. The two MPs suggested that, to equalise the burden between local authorities, there ought to be a threshold of say a 1p rate, above which all the costs would be borne by the Government. This would also serve to eliminate fears about an open-ended commitment. This could be done without undermining the autonomy of local police forces.

The Prime Minister pointed out that while Nottinghamshire had the largest bill, other police authorities were incurring substantial costs in overtime to cover for those police sent to the areas of the dispute. She agreed, however, to pass on these representations to the Home Secretary and the Secretary of State for the Environment.

The discussion then turned to how the dispute might be brought to an end. While both MPs thought that Nottinghamshire miners were solidly supporting a continuation of work, and attendance was as good as normal, they could not see a way through. Mr. Lester thought the solidarity of Notts miners was in defence of the principle of a ballot; acceding to the strike call would have undermined this important safeguard. Their aim was to defend the NUM as they wished to see it rather than to break away from it. One

DCAABC

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possibility would be an initiative to seek agreement to an update of Plan for Coal, though it was doubtful whether this could be achieved by negotiation.

I am copying this letter to John Ballard (Department of the Environment), John Gieve (Chief Secretary's Office) and Michael Reidy (Department of Energy).

*Your sincerely
Andrew Turnbull*

Andrew Turnbull

Hugh Taylor, Esq.,
Home Office.

DCAABC



36

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P.01293

PRIME MINISTER

MISC 101(84)16th: Coal

After the usual reports, you may think it timely to have a preliminary discussion on a strategic issue which may soon have to be addressed, ie how far should the NCB be prepared to go (and be allowed by the Government to go) in negotiations about closures as part of a settlement of the dispute.

2. It is clear of course that the Press stories about the two sides coming together are based on presentational initiatives of one kind or another, for example by the Labour front bench and the two smaller mining unions, and on NCB statements designed to avoid the appearance of intransigence, while trying to rest on the status quo, for example the established local procedures, the consultative machinery and so on. Until Mr Scargill resiles from his public position of not being prepared to talk about closures other than exhausted pits, there is no basis for a negotiation. Moreover there is no reason at present for the Government or the NCB to force the issue. It would probably be better to wait until the internal strains within the NUM have become more acute and more apparent publicly.

3. Nevertheless Ministers will not wish to wake up one morning to find that the NCB is in the middle of a negotiation about closures without their ever having had the opportunity to discuss what the Government would wish to see come out of this strike. The following points may be worth bearing in mind:

i. It would be unrealistic to suppose that the NUM would accept total defeat on the closures issue.

SECRET

ii. Mr Scargill will have to withdraw from his public position on non-economic pits; that would itself be a presentational victory, but a very far from adequate victory in substance.

iii. The NCB must emerge from this dispute with enough flexibility on closures not only in the current year but in the next few years to make possible worthwhile public expenditure savings within the lifetime of this Parliament.

iv. Although the talking should be between the NCB and the NUM and the Government should not be involved, the Government has too much at stake to allow the NCB a completely free hand.

v. We therefore need to have some clear ideas as to what our desired objectives and minimum requirements are, and how they can be achieved in negotiation whether by agreement to a phased programme, by new agreed procedures or in some other way.

vi. Although it is too soon to talk now, the right time to talk will be while the Government and NCB are seen to be winning, with plenty of time in hand. In order to be ready for that, some thinking (but very discreetly) must be done now.

4. It will not be possible to do more than exchange a few preliminary thoughts on this (assuming you were to think it timely and worthwhile) at Monday's meeting. I understand that Mr Walker may not be free to attend the MISC 101 meeting provisionally arranged for noon on Wednesday. The right course might therefore be to ask Mr Walker to be ready to talk about his ideas (taking account of Mr McGregor's latest thinking) after the Spring Bank Holiday.

18 May 1984

Pc
P L GREGSON

SECRET

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21/5

PRIME MINISTER

Lord Tonypandy

Lord Tonypandy telephoned today. He asked me to let you know that, if you felt it would help, he would be very willing to offer his services as a mediator in the coal dispute. He recognised that the Government might not wish to be involved directly, but he wondered whether the NCB and the NUM might find his experience helpful.

I undertook to pass his message on to you, and said that I knew you would be very grateful for his offer.

But I did not give him any encouragement that you would wish to take it up.

DMS

18 May 1984

Thankyou

COVERING SECRET



SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

17 May 1984

Dear Andrew

ENDURANCE

I attach this week's report.

Yours
John

J S NEILSON
Private Secretary

COVERING SECRET



cc to Gregor
cc to Pascale

35

POWER STATION ENDURANCE

1. Coal deliveries to CEGB power stations last week were around 0.3mt for a 4 day week. Coal burn was about 0.7mt and therefore stock draw was about 0.4mt. CEGB coal stocks last Sunday night were 17.3mt, with a further 1.9mt in Scotland.
2. NCB total coal deliveries last week were 0.5mt so that about 0.2mt went to customers other than power stations.
3. Oil burn at CEGB power stations is equivalent to about 0.6mt of coal a week and last week met 37 per cent of electricity demand, compared with 4 per cent normally at this time of year.
4. The range of endurance outcomes is estimated as:

<u>Coal Deliveries</u>	<u>Oil burn (% of max)</u>	
	<u>80%</u>	<u>100%</u>
0	early Oct	late Oct
0.3mt/week	late Nov	mid Dec

0.7mt. — 180 - 182,000 tons to industry.
 Higher allowances - higher price

Department of Energy
17 May 1984

COVERING SECRET



SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

17 May 1984

Dear Andrew

ENDURANCE

I attach this week's report.

Yours
John

J S NEILSON
Private Secretary

COVERING SECRET



SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

CONFIDENTIAL

Rt Hon Peter Rees QC MP
Chief Secretary
HM Treasury
Parliament Street
LONDON

17 May 1984

Dear Peter,

MINERS' DISPUTE: POLICING COSTS

I am writing about the arrangements for providing extra financial assistance to police authorities for meeting additional expenditure arising from the cost of policing the miners' dispute. Because of the Scottish Conservative Party Conference in Perth, it was not possible for me to be involved in the consideration of the proposals put forward to you by Leon Brittan, though you and Leon helpfully agreed to include a holding statement in his announcement to the effect that I would determine broadly comparable arrangements for Scotland, taking account of the different circumstances here. I should now like to have your agreement to the introduction in Scotland of arrangements similar to those announced by Leon Brittan on 11 May for England and Wales, with one important variation.

Because the latest revaluation of property in Scotland was more recent (1978) than in England (1973) there is, of course, a difference between the product of 1p rate north and south of the Border. The established equivalent figure for Scotland is 0.67p. This figure was most recently used in 1982 for purposes of severe weather grants, which were paid in both England and Scotland above thresholds of 1p and 0.67p respectively.

I should say that the Scottish police forces have not so far had occasion to call for mutual aid. Mainly this is because the largest additional policing requirement has fallen on Strathclyde Police, which has been able to cope within its own resources though incurring substantial extra expenditure on overtime and cancelled rest days. Although mutual aid has not been a feature in Scotland, I assume that all the additional costs incurred within Strathclyde which can be ascribed to the policing of the miners' strike will qualify for extra grant, subject to a threshold determined as outlined above. The 0.67p rate product in Strathclyde amounts to about £3.5 million. The heavy and very effective police operation at Ravenscraig and Hunterston has as yet cost only about one-third of this figure. Taking Scotland as a whole, I doubt if any additional grant will be payable on costs incurred so far. The situation may change, of course, if the dispute is prolonged and if heavy police activity is required within the areas of some of our smaller forces. Nevertheless I should like to make an announcement as soon as possible about the introduction of arrangements for financial help in Scotland. I should be glad to have your early agreement, therefore, to my announcing that a special grant will be paid of 40% in

addition to normal police grant towards gross approved additional expenditure above the product of a 0.67p rate: it would be specially helpful if I could make the announcement this week. Approved expenditure will cover either additional payments within a force or payments to other forces under mutual aid arrangements.

Should it be necessary to consider any other adjustments - and I note that Leon has in mind that additional payment may become necessary - I shall, of course, consult you again.

I should also like to announce, as Patrick Jenkin did for England, that that part of a local authority's expenditure which arises from additional policing costs will be disregarded when it comes to assessing the authority's liability for loss of grant under general abatement of grant in 1983-84 or 1984-85.

I am copying this letter to the Prime Minister, other members of MISC 101, Patrick Jenkin and Sir Robert Armstrong.

Yours ever,

George

Ref. A084/1481

PRIME MINISTER

Industrial Affairs: Coal

After asking for the usual reports on the latest situation, you will probably wish to concentrate the discussion on the recent increase in violence and intimidation and the measures being taken to deal with this, notably the charges brought in Nottinghamshire yesterday under the Riot Act.

2. On the general issue of options relating to the use of the law both criminal and civil you will recall that, following the discussion at last week's Cabinet (CC(84) 18th Conclusions, Minute 5), MISC 101 has asked the Attorney General, in consultation with the Home Secretary and involving the Secretaries of State for Energy, Scotland and Employment as necessary, to consider and report to the Group. I understand that he expects to do this within about one or two weeks. The effectiveness of the latest steps by the Chief Constable of Nottinghamshire and the public reaction to them may provide useful pointers.

3. There are two other issues involving the law which may be discussed:

i. the civil actions by two Nottinghamshire pit branches against their area executive, and the national executive, seeking a declaration that there is no official strike in that area (if these actions were successful, it might give leverage to moderates in some other areas and assist the crumbling of the strike);

ii. reports that some pickets, (notably Mr Pitt, the Kent miners' leader) have been breaking the terms of their bail (press reports say that the police are looking into Mr Pitt's bail terms);

Next meeting

4. A meeting of MISC 101 has been arranged for 4.00 pm on Monday 21 May.

16 May 1984

RA
ROBERT ARMSTRONG

Lord Chancellor
has reported
on way
magistrates
courts are
dealing with
cases.
Minute
enclosed.

AT

FROM:

THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.



HOUSE OF LORDS,
SW1A 0PW

CONFIDENTIAL

Prime Minister

I understand that as a result of a recent Ministerial meeting, you would like information about the manner in which magistrates' courts in Nottinghamshire are dealing with defendants brought before them charged with offences arising out of picketing. I have made enquiries. The position, as at noon yesterday, was as follows.

Mansfield Petty Sessional Division has been used as "the clearing house", and all defendants in police custody are brought to that courthouse. So far 881 persons have appeared before a court of summary jurisdiction which in some cases has sat as late as midnight. A further 75 persons were to appear yesterday afternoon. The majority of individuals are charged either with breach of section 5 of the Public Order Act 1936 or with obstructing police, section 51(3) Police Act. These are summary offences. Additionally some are charged with assault and with criminal damage which are "either way" offences giving either party, effectively the defendants a right of jury trial.

As you will have read in today's press a further 60 defendants were to appear last night charged with riot. This is triable only on indictment and I understand committal proceedings cannot be contemplated for at least 3 months. If those proceedings are protracted and the lay justices require help, I will see that a stipendiary magistrate is appointed to deal with the committal.

By arrangement the cases have been divided between the Nottinghamshire courts as follows:-

Nottingham City - 115 cases

28 appeared on 14th May, 27 defendants pleaded Not Guilty and were adjourned to 3rd and 10th July. One defendant pleaded Guilty and was fined £5.

27 are to appear today, 25 on 21st May and 10 on 23rd May.

Newark - 42 cases

All are to be contested with staggered dates of hearing in June, July and August.

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Nottingham County and Bingham - 113 cases

All these cases are likely to be contested with dates of hearing on and after 20th June.

Worksop and East Retford - 245 cases

158 at pre-trial review stage and remainder to appear in June. 4 have pleaded Guilty, 3 fined £75 and £30 costs, the other £50 and £5 costs.

Mansfield - 312 cases

All are expected to be contested. Various dates have been fixed on and after 5th July.

There is a discrepancy in the calculations because some courts have relied on police figures rather than counting court register entries.

In addition, 200 defendants arrested on the Nottingham/Derby borders are to appear before the Chesterfield justices.

I understand the Chief Constable has expressed reservations about the quality of some of the evidence upon which arrests have been made, and for this reason is not anxious for dates of trial to be fixed too soon. Doubts have been expressed about the power of the justices to "transfer" cases to other courts, to remand (as opposed to "adjourn") purely summary offences; and hence to apply bail conditions. There is to be a test case on 4th June involving four defendants which, I understand, is likely to be taken for Judicial Review under RSC Ord. 53 whatever the result. The decision of the Divisional Court will affect the course of similar cases elsewhere, and I understand the Judicial Review could be dealt with by the Divisional Court before the end of June. Additionally a point of jurisdiction may arise where coaches have been stopped well away from the pitheads and arrests made, and the defendants then taken to Mansfield.

All the defendants who have so far pleaded not guilty are represented by the same firm of solicitors. This is an important factor which will need to be taken into account by the courts when fixing the hearing dates, although it may be diminished in its impact by information which I have just received indicating that the solicitors concerned are making arrangements to distribute some of the cases to agents. A further factor is that many police witnesses will be coming from outside the Nottinghamshire area.

There is nothing to indicate that the courts need immediate help. They have made sensible arrangements to share staff and courtrooms as and when required. Magistrates assigned to one Petty Sessional Division within a county can sit in another court if required.

CONFIDENTIAL

The courts are aware that if their business justifies it they may apply to me for acting stipendiary appointments and where necessary I shall be ready to make such appointments.

At this stage any overt intervention by central government would be inappropriate, and probably ineffective.

I am copying this to the Home Secretary (to whom I have spoken briefly) and to the Attorney General who will wish to know about the probable proceedings under RSC ord 53.

H: of S: M
16 May 84

SUBJECT
c. Master Set

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cc JB

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NOTE OF A MEETING ON THE COAL DISPUTE HELD AT 10 DOWNING
STREET ON 15 MAY, 1984, AT 1100

PRESENT

Prime Minister
Chancellor of the Exchequer
Secretary of State for Energy
Mr. Gregson

The Secretary of State for Energy gave a report on the current dispute. The number of pits working fully remained at 43 with 5 working partially and 6 with men working but not producing coal. Although there was no change in the number of pits working, attendance was up, having reached 49,000 the previous day. It was hoped that the three Lancashire pits currently working partially would soon be returned to full working.

It was becoming apparent that the demonstration at Mansfield the previous day had been the occasion of major clashes between miners and the police, 90-100 of whom had been injured. This compared with around 150 to date during the whole of the dispute. Mr. Scargill had made two statements which he could later regret. He had claimed the downfall of the Government as an explicit objective of the strike, and he had made it clear that miners might have to remain on strike until December.

The meeting then discussed the costs of the dispute and how they should be recovered. The Secretary of State for Energy said he regretted that Sir Walter Marshall had spoken so readily to the Observer on the costs of the dispute, and that he had subsequently sent the material to other Sunday newspapers. The costs could be measured in different ways; the gross cost to the electricity industry of oil burn; the net cost after the saving produced by running down coal stocks; and the full cost to the Exchequer after taking into account the impact on the NCB and other costs such as policing.

The meeting then discussed whether the increased cost of oil burn should be passed forward into electricity prices and, if so, whether a start should be made soon. It was argued that in order to avoid a sharp increase later, it

JBDAAA

would be better to make an adjustment soon. With the costs of the strike including items such as policing, running at £20-30M a week, the impact on the PSBR was considerable. The cost would increase sharply if the CEGB continued oil burn while building up coal stocks. An increase in electricity prices would bring home to the public the cost of the miners' demands.

Against this, it was argued that an increase in electricity prices would be interpreted by miners as a sign that they were at last making progress. A private sector company would probably accept some reduction in profit; it would be difficult to get the public to accept an increase in prices while the profits of the electricity industry remained substantial.

Summing up this part of the discussion, the Prime Minister said it was agreed that part of the costs of oil burn should be recovered, but it would be tactically wrong to put up prices during the course of the dispute, as this would give heart to the miners.

It would be better to introduce any increase once the dispute had ended. The meeting then considered the problem of replenishing stocks at the conclusion of the dispute. The first decision would be the date by which the Government wished adequate endurance to be restored. The objective would depend on the judgement made about the likelihood of further strikes. It was noted that the maximum movement from pits to power stations was around 1.85mt per week or at most 1.95mt a week. Even this would depend on full cooperation from miners and railwaymen in working overtime. To build up stocks rapidly it might be necessary to continue with oil burn. It was estimated that:-

- if the strike finished at the end of May, it would be necessary to maintain maximum oilburn until mid September in order to achieve six months endurance by the autumn
- if it finished at the end of June, maximum oilburn would have to continue until mid-December
- if it finished at the end of July, maximum oilburn would have to continue until March.

A very heavy cash drain would be imposed on the CEGB if it were both burning oil and financing the rebuilding of coal stocks. To the extent that there was a choice, it would be better to pay overtime to secure extra coal movements. The Prime Minister said that no view could be taken now - much would depend upon the circumstances at the

JBDAAA

end of the strike. The Secretary of State for Energy offered to provide a paper by the end of the week setting out the costs of the dispute to the electricity industry, the NCB and to the Exchequer as a whole. It would set out the problems and costs of rebuilding coal stocks after the end of the strike on various assumptions about its duration, and the extent to which supplies were maintained during it. It would also discuss the options for recovering the costs of oilburn from the electricity consumer.

The discussion then turned to the way in which the strike might be brought to an end. The Prime Minister said the hope was that the strike would begin to crumble in some areas, but it was not clear how this could be brought about despite increasing discontent. The Secretary of State for Energy thought the best hope would be the coastal coalfields of Durham which had an excellent future. Nevertheless, there were no signs that this would happen soon. It was noted that the firm advice of NCB management was that closing pits during the strike would be counter-productive. The Prime Minister said that, in retrospect, it was probably better that there had not been a national ballot. It might have been lost producing a total shutdown. The Secretary of State for Energy pointed out that the NCB had given assurances that any men whose union cards were withdrawn would continue to be employed. This assurance had been publicised in Coal News. The Chancellor asked whether any other steps could be taken to increase endurance. One possibility was to increase imports though it was noted that substantial flows were already coming in. It might be better to let this happen, and not risk forcing the pace.

AF

15 May, 1984.

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SUBJECT

c. Master Set



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SECRET

10 DOWNING STREET

From the Private Secretary

15 May, 1984.

Coal Dispute

The Prime Minister held a meeting today to discuss the costs of the dispute, the problem of rebuilding coal stocks once the dispute had ended, and the case for recovering the cost of oilburn from electricity consumers. Present were your Secretary of State, the Chancellor of the Exchequer and Mr. Gregson.

Summing up the discussion on the cost of the dispute, the Prime Minister said a case could be made out for seeking an early increase in electricity prices to bring home to consumers the costs of the miners' demands, and to avoid the need for a large increase later on. Nevertheless, it would be better tactically to avoid any increase during the course of the dispute as this could encourage miners in the belief that they were making progress. Rather than consolidating public opinion, it might increase pressure for a mediator. There was also the difficulty of explaining to the public, and in particular the Consumer Councils, the need for an increase while profits remained high. The Prime Minister said that some part of the costs would eventually have to be recovered from consumers, but no action should be taken before the strike ended. On replenishing of stocks, it was noted that there were physical constraints on the maximum movements of coal between pits and power stations. If Ministers decided it were desirable to rebuild stocks quickly, it might be necessary to continue oilburn even after the strike had finished. Paying for oilburn and financing the replenishment of stocks would be a severe cash drain on the CEBG and hence on public expenditure. Summing up this part of the discussion, the Prime Minister said no final view could be taken now as much would depend on the circumstances at the end of the strike, e.g., the level of stocks reached and the likelihood of another strike. While in principle, it would be preferable to use overtime to maximise coal movements, it might not be possible to achieve the level of stocks sought entirely by this route.

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Your Secretary of State agreed to provide, by the end of this week, a paper setting out the costs of the dispute to the electricity industry, the NCB, and to the Exchequer as a whole. It would set out the problems and costs of rebuilding coal stocks after the end of the strike on various assumptions about its duration and the level of coal movements maintained during it. It would also discuss the options for recovering the costs of oilburn from electricity consumers.

I am sending copies of this letter to David Peretz (HM Treasury), and Peter Gregson (Cabinet Office). I suggest that this letter be retained in Private Offices and be shown only to those who need to know of its contents.

MR. A. TURNBULL

Michael Reidy, Esq.,
Department of Energy.

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P.01287

PRIME MINISTER

Coal

You are having a talk with the Secretary of State for Energy at his request. The Chancellor of the Exchequer will be the only other Minister present.

2. This appears to have been prompted by some work done for Mr Walker by his department on the problems and costs of rebuilding coal stocks after the end of a strike. The main constraint is that, even with substantially increased road deliveries, it has never so far been possible to deliver coal to power stations at a rate greater than 1.85 million tonnes a week. On this basis, it seems likely that:

- if the strike finished at the end of May, it would be necessary to maintain maximum oilburn until mid-September in order to achieve six months endurance by the autumn
- if it finished at the end of June, maximum oilburn would have to continue until mid-December
- if it finished at the end of July, maximum oilburn would have to continue until March.

3. This has serious implications for costs, bearing in mind that the net extra cost of burning oil rather than coal is £20 million a week and that, during the recovery period, the CEGB would be buying the oil in addition to buying coal, so that the relevant figure would be the gross cost of £50 million a week.

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4. It is not clear what conclusion the Secretary of State for Energy draws from this. The Chancellor may argue that it supports his view that, in order to protect public expenditure and PSBR targets, we ought to start soon to recover some at least of the costs of extra oilburn from the electricity consumer. This might however give Mr Scargill a useful propaganda advantage, although it has to be conceded that, as the weekend press showed, the cost of extra oilburn is already becoming an issue and the Government may have to make its position clear on where the cost is to fall before long.

PLG
P L GREGSON

14 May 1984

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PRIME MINISTER

Coal Dispute

Mr. Walker originally requested this meeting to discuss the problem of replenishing coal stocks after the conclusion of the dispute. He is not circulating a paper but if pressed is likely to be able to provide figures. The position is, however, summarised in Mr. Gregson's note.

There is the related issue of the costs of the dispute and who will pay for it. Again Mr. Walker will come armed with figures. This issue is coming more into the open - see the attached cutting. The main questions are:-

- i) Should the Government wait until the electricity industry itself puts forward proposals?
- ii) Is an early rise better than a larger one later?
- iii) Can it all be dealt with by increasing prices next year by an extra amount to recoup the shortfall below target this year?

As a subsidiary issue, you may want to discuss what line you should take in the House. You could be asked how the costs will be recouped. I suggest avoiding the formulation "this is a matter for the industry" as it is likely to provoke taunts about the 2 per cent increase in electricity prices. A better formulation would be "so far the costs have been borne by the industry but no decisions on increased prices have been taken".

/You

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You could be asked to confirm specific figures on the ^{MFJAAB} costs of the dispute. These can be expressed in various ways:-

- i) The gross costs of oil burn - around £50m a week.
- ii) The net cost to the CEGB - around £20m a week.
- iii) The net cost to the PSBR including policing and social security payments to miners - in the range £20-30m a week.

The main point to get across is that however the costs are measured they are small in relation to the ultimate benefits.

I suspect that Mr. Walker's purpose in coming to see you is not primarily to pursue these two issues. I believe he has had discussions with Mr. MacGregor on the latter's game-plan for bringing the dispute to an end. You will want to encourage Mr. Walker to share his thinking on this.

JT

14 May 1984

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Illinois

Continental spent \$9 million on its internal reorganisation last year and another \$19 million on legal fees for outside lawyers. While Continental is among eight companies being sued for damages of \$150 million by Republicbank of Dallas which says the bank was deceitful when they asked Republicbank to take over, as an issue of debentures of Nucorp, an exploration company which went bankrupt in 1982. In an effort to improve its capital base, Continental, under its new chairman and chief executive David Taylor, started selling off its card business which was sold to First Bank for some \$1 billion, for a profit of \$176 million over net assets. Last month, Taylor warned shareholders at the company's annual general meeting that the company's performing loans, which had risen to \$1 billion in the first quarter, would be \$40 million this year if they do not rise or decline. Last year, more than half the \$400 million increase to \$1.4 billion came from Latin American loans, mainly to Argentina and Venezuela, into which the bank expanded in the 1970s. At the end of 1983, Continental had \$2.47 billion of Latin American and Caribbean loans outstanding. The

status of many of the loans is questionable. Latin America is an economic tinderbox.

But the bank's latest troubles arose closer to home. On Good Friday, Charter Co., a diversified oil-marketing-to-financial-services company, and 43 subsidiaries filed for reorganisation under Chapter 11 of the Bankruptcy Code.

Charter has amassed unsecured loans of \$215 million, of which \$37 million came from Continental. Last week, Charter rejected a \$20 million emergency loan package from its nine largest unsecured creditors, including Continental. Whether Charter will emerge from reorganisation without having sold off its profitable, and (unaffected) subsidiaries, is uncertain.

Last week, yet another Continental borrower, Public Service Co. of New Hampshire, was declared in default when it failed to make a \$3 million principal payment on a loan provided by four banks. Public Service, a utility, is building the Seabrook nuclear facility. In an effort to stave off bankruptcy, its banks, including Continental, have planned to lend it another \$75 million. Meanwhile, Merrill Lynch is also trying to put together a \$1 billion debenture package.

Charter and Public Service went on the skids in the wake of Continental announcing a 6 per cent drop in first quarter net income to \$29.2 million, or 67 cents a share, despite the benefit of the sale of the credit card business. Last year, the bank's net earnings fell to \$101.1 million, including an investment gain of \$2.3 million, but before an extraordinary credit of \$7.1 million. In 1982, the bank's net income was \$260.3 million.

Propaganda blitz from BR

by ROBERT TAYLOR, Labour Editor

BRITISH RAIL intends to launch a propaganda blitz-krieg, warning its employees that the rail system will face massive cuts, compulsory redundancies, and a drastic reduction in Government cash support if they back their unions in the proposed work to rule, and overtime ban due to start on 30 May.

BR chairman Bob Reid will spell out the hard facts of economic life in newspaper advertisements and letters to all railway workers shortly. He hopes to provoke a widespread rank and file rebellion against

The railway workers will be told that plans for electrification on Inter-City routes would have to be scaled down in the event of widespread chaos on the network. The coal dispute is already costing BR £5 million a week in lost revenue and the 4 per cent pay offer linked to productivity might have to be abandoned if the overtime ban and work to rule bites hard.

BR remains hopeful that the rail union leaders — Jimmy Knapp of the National Union of Railwaymen and Ray Buckton of ASLEF — will see sense and agree to refer the tangled pay/productivity issue to the rail industry's own conciliation

Electricity price to rise

by ROBIN MCKIE

ELECTRICITY prices are to rise by 1.5 per cent because of the miners' strike — and bills will rise by a further 1.5 per cent for each month the dispute continues, electricity chiefs have warned.

The Central Electricity Generating Board says the rises are inevitable because its expensive oil-burning generating stations are now operating at maximum capacity. They are supplying 20 per cent of the board's total output, compared with a normal three per cent figure.

Oil stations are 50 per cent more expensive to run and their use has added £100 million to power costs. Now they are operating at full strength, they are adding £20 million every week to the board's bill.

However, the CEGB still has to decide whether to make price rises this year or next. 'On one hand, people have a right to expect a big organisation like us to ride with the punches and to leave the tariff we have just fixed until next year,' the CEGB chairman, Sir Walter Marshall, told *The Observer*.

'On the other hand, if we make increases now, the consumer will at least realise this dispute is costing them money. It is a decision I don't want to make without full discussions with my board of directors.'

But it is clear that whenever the price rises are announced, the Government will then stress

they have been caused by the miners' action.

Electricity officials estimate that the present £100 million cost rise will force another 1.5 per cent on to prices. Every five weeks, a further 1.5 per cent will be added to that bill, although this rate might slow down in mid-summer as power demands fall.

Sir Walter adds that the CEGB has no choice but to pass on the price rises to consumers. 'We are empowered to break even and so have to pass this rise on. It is just a matter of when.'

Sir Walter also confirms the claim made by Energy Secretary Peter Walker that the board has six months' supply of coal left at stations, on top of supplies coming from Nottinghamshire mines. Sources suggest stocks are about 20 million tonnes, down from 28 million tonnes when the dispute started.

But he denies that the board's demands for oil are having a significant effect on oil prices.

This view is not supported by last week's *Petroleum Intelligence Weekly* which stated that British generating demands are adding 500,000 barrels per day to current crude oil demands and that this is having an unexpectedly wide effect on the world oil market.

This is likely to push up spot crude oil prices — which will have the effect of strengthening the price of British oil.

Inside

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- Popular perks page 30
- Fiscal muggins page 31

Coal News,

~~43~~ 49

43 full

6 part production.

Attendance up.

? Lancashire pits?

Scargill - end of Dec.

} Gov't role
Tarrages

Marshall - £40 -
£23 -

Manfield.

90-100 Polite

Batter change - 10% more
minis

Most decent people are
sidelined by it.

Against rules of union to declare strike.

File

NOTE FOR THE RECORD

Miners' Wages

In 25 weeks to week-ending 21 April miners had lost:

£131 million in gross wages

£45 million in associated benefits, eg holiday pay, sick pay,
concessionary coal

—————
£176 million
—————

The total is increasing at

£16.5 million a week for wages

£5.5 million a week for benefits

—————
£22 million
—————

Thus total to 4 May is around £220 million rising at over
£20 million a week.

(P)

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
SCOTTISH AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
BARONY	173	1.54	43.1	62.8	(19.7)
BILSTON GLEN	856	1.90	40.1	43.1	(3.1)
<i>closed</i> <i>24/4/83</i> - CARDOWAN	267	1.25	34.3	72.2	(37.9)
COMRIE	308	1.81	33.6	47.6	(14.0)
<i>closed</i> <i>28/4/83</i> - HIGHHOUSE	91	1.39	43.8	55.4	(11.6)
KILLOCH	630	1.51	35.6	52.7	(17.1)
LONGANNET	<u>1807</u>	2.89	32.1	32.7	(0.6)
MONKTONHALL	925	2.50	32.6	36.5	(3.9)
POLKEMMET	335	1.17	48.5	65.7	(17.2)
SEAFIELD COMBINE	<u>1070</u>	1.95	38.9	45.7	(6.7)
<i>closed</i> <i>29/4/83</i> - SORN	58	1.38	41.3	55.8	(14.5)

SEC57,1

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
NORTH-EAST AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ASHINGTON	288	1.96	34.1	49.0	(14.9)
BATES	799	2.19	31.0	42.1	(11.1)
<i>closed</i> <i>6/4/84</i> - BEARPARK	152	1.86	30.0	41.0	(11.0)
BRENKLEY	314	2.41	34.0	42.1	(8.1)
DAWDON	<u>1161</u>	2.57	40.0	36.3	3.7
EASINGTON	<u>1125</u>	1.97	38.4	50.9	(12.5)
<i>closed</i> <i>29/4/83</i> - EAST HETTON	284	1.56	47.8	58.1	(10.3)
ELLINGTON	<u>1723</u>	3.68	34.5	28.0	6.5
HAWTHORN	1204	1.86	39.3	51.2	(11.9)
HERRINGTON	256	1.50	46.9	61.4	(14.5)
HORDEN	574	1.41	48.1	71.0	(22.9)
LYNEMOUTH	416	1.68	34.5	61.4	(26.9)
SACRISTON	68	1.18	45.9	70.3	(24.4)
SEAHAM	301	2.81	40.2	37.2	3.0
SOUTH HETTON	158	2.68	37.4	37.7	(0.3)
VANE TEMPEST	642	3.04	39.9	36.2	3.7
WEARMOUTH	1008	2.03	47.3	48.8	(1.5)
WESTOE	1331	2.55	37.0	39.7	(2.7)
WHITTLE	334	1.99	37.8	43.8	(6.0)

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
NORTH YORKSHIRE AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ACKTON HALL	578	2.02	37.3	55.6	(18.4)
ALLERTON BYWATER	894	3.00	32.7	30.7	2.0
FRYSTON	528	2.24	37.1	44.1	(7.0)
GLASSHOUGHTON	286	2.14	34.7	49.5	(14.9)
KELLINGLEY	2155	4.51	36.4	28.6	7.8
LEDSTON LUCK	382	3.67	35.2	27.7	7.5
<i>closed -</i> <i>30/9/83</i> NEWMARKET	371	3.06	34.9	30.7	4.2
NOSTELL	370	3.06	33.5	37.1	(3.6)
PRINCE OF WALES	767	2.73	33.8	48.6	(14.8)
<i>closed -</i> <i>9/12/83</i> ROTHWELL	308	2.28	38.3	47.0	(8.7)
SAVILE	236	2.01	37.3	48.7	(11.5)
SHARLSTON	833	3.33	35.1	31.5	3.6
WHELDALE	435	2.47	37.0	43.4	(6.4)

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
DONCASTER AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ASKERN	655	2.57	37.8	39.2	(1.4)
BENTLEY	642	2.98	35.2	31.9	3.2
BRODSWORTH	813	1.83	42.1	48.5	(6.4)
FRICKLEY	870	2.36	36.7	39.4	(2.7)
GOLDTHORPE	694	2.91	33.2	34.1	(0.9)
HATFIELD	472	1.57	39.1	56.5	(17.4)
HICKLETON	286	1.45	44.3	65.2	(20.9)
MARKHAM	854	2.77	39.9	35.2	4.7
ROSSINGTON	772	2.35	38.0	39.4	(1.3)
YORKSHIRE MAIN	722	2.34	43.1	37.5	5.7

SEC57,4

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
BARNSELY AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
BARROW	488	1.68	43.0	56.0	(13.0)
BULLCLIFFE WOOD	175	2.67	37.4	61.9	(24.5)
DARFIELD MAIN	248	1.53	38.6	59.0	(20.4)
DEARNE VALLEY	261	3.18	36.8	36.4	0.4
DENBY GRANGE/ CAPHOUSE	453	4.39	40.7	30.7	10.0
DODWORTH	694	2.96	36.7	32.2	4.5
EMLEY MOOR	91	1.45	46.1	67.7	(21.6)
FERRYMOOR RIDDINGS	364	2.81	35.1	43.4	(8.3)
GRIMETHORPE	1070	2.83	39.3	33.8	5.5
HOUGHTON MAIN	1043	3.00	35.6	34.6	1.0
KINSLEY	551	5.58	30.7	26.9	3.8
NORTH GAWBER	408	2.49	37.9	38.0	(0.1)
PARK MILL	198	2.84	39.5	46.7	(7.2)
ROYSTON	413	3.51	31.0	36.5	(5.5)
SOUTH KIRKBY	931	2.91	35.4	37.8	(2.4)
WOOLLEY	742	1.97	40.2	46.3	(6.0)

SEC57,5

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
SOUTH-YORKSHIRE AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
BARNBURGH	595	3.21	35.9	32.9	3.1
BROOKHOUSE	207	1.42	42.1	65.4	(23.3)
CADEBY	322	1.60	37.5	57.8	(20.3)
CORTONWOOD	281	1.54	43.7	57.5	(13.8)
DINNINGTON	207	1.11	45.6	80.7	(35.1)
<i>closed -</i> <i>28/10/83</i> ELSECAR	242	1.86	36.1	53.5	(17.4)
KILNHURST	156	1.62	41.3	56.6	(15.2)
KIVETON PARK	452	2.94	34.7	34.6	0.0
MALTBY	743	2.64	38.2	37.4	0.8
MANTON	779	3.28	38.4	31.7	6.6
MANVERS	347	1.42	40.8	66.6	(25.8)
SHIREOAKS	573	4.23	35.7	26.6	9.2
SILVERWOOD	1078	3.31	46.3	31.3	15.1
STEETLEY	266	3.34	31.8	26.1	5.6
THURCROFT	389	2.19	44.5	46.8	(2.3)
TREETON	313	1.86	41.6	46.4	(4.7)
WATH	379	2.32	40.0	41.5	(1.5)

SEC57,6

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
NORTH DERBYSHIRE AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ARKWRIGHT	583	2.83	38.2	39.3	(1.1)
BOLSOVER	662	3.17	41.4	35.2	6.2
HIGHMOOR	621	5.44	30.2	24.9	5.3
IRELAND	575	3.74	35.7	33.2	2.5
MARKHAM	1503	3.03	36.8	34.9	1.9
PLEASLEY	446	3.44	27.5	36.6	(9.1)
RENISHAW PARK	406	3.44	34.9	34.1	0.8
SHIREBROOK	1577	3.88	35.5	31.1	4.4
WARSOP	742	2.63	38.4	46.4	(8.0)
<i>closed -</i> <i>10/2/84</i> WESTTHORPE	377	2.67	27.4	38.6	(11.2)
WHITWELL	550	3.05	37.0	36.6	0.4

SEC57,7

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
NORTH NOTTINGHAMSHIRE AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
BEVERCOTES	876	2.85	36.9	38.3	(1.5)
BILSTHORPE	1012	3.50	35.3	29.2	6.1
BLIDWORTH	460	1.95	42.5	52.8	(10.3)
CLIPSTONE	782	2.46	44.6	41.4	3.2
CRESWELL	671	2.83	35.5	34.2	1.3
HARWORTH	866	3.55	36.7	30.6	6.1
MANSFIELD	930	2.80	42.8	46.4	(3.6)
OLLERTON	1045	4.56	37.3	25.1	12.2
RUFFORD	793	2.40	44.3	41.1	3.2
SHERWOOD	901	3.99	35.7	38.2	(2.5)
SILVERHILL	700	2.57	36.2	40.4	(4.2)
SUTTON	450	2.58	35.1	55.8	(20.7)
THORESBY	1801	5.55	36.8	23.5	13.3
WELBECK	1075	4.01	35.5	26.3	9.2

SEC57,8

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
SOUTH NOTTINGHAMSHIRE AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ANNESLEY	694	2.55	35.9	34.5	1.3
BABBINGTON	643	2.85	32.5	42.9	(10.5)
BENTINCK	931	2.90	35.6	42.0	(6.4)
CALVERTON	731	2.22	41.3	41.2	0.2
COTGRAVE	1239	3.36	33.0	28.3	4.7
GEDLING	745	2.30	40.9	39.8	1.2
HUCKNALL	599	2.47	32.6	47.0	(14.4)
LINBY	536	2.33	40.9	48.6	(7.8)
MOORGREEN	674	2.84	35.3	34.8	0.5
NEWSTEAD	623	2.25	33.4	44.2	(10.9)
PYE HILL	840	3.64	35.1	29.0	6.1

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
SOUTH-MIDLANDS AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)	
BADDESLEY	650	2.85	32.8	31.5	1.3	
BAGWORTH	916	5.08	32.5	24.6	7.9	
BETTESHANGER	404	1.69	40.2	54.5	(14.3)	Kent
BIRCH COPPICE	529	2.43	31.4	38.0	(6.6)	
CADLEY HILL	399	2.10	32.1	41.9	(9.9)	
COVENTRY	807	2.73	37.0	36.8	0.2	
DAW HILL	1100	3.92	40.2	28.5	11.7	
<i>closed</i> <i>11/1/84</i> - DESFORD	273	1.76	29.0	57.9	(29.0)	
DONISTHORPE	613	2.77	35.0	33.4	1.6	
ELLISTOWN	379	3.02	32.4	33.8	(1.4)	
MEASHAM	235	2.20	32.2	45.8	(13.6)	
RAWDON	700	2.79	34.6	32.0	2.6	
SNIBSTON	215	1.82	31.6	52.9	(21.2)	
SNOWDOWN	101	0.57	49.4	135.9	(86.5)	Kent
SOUTH LEICESTER	180	2.12	30.6	48.6	(18.0)	
TILMANSTONE	196	1.07	48.9	87.8	(38.9)	
WHITWICK	475	2.67	31.8	35.6	(3.9)	

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
WESTERN AREA

closed
2/3/84

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
AGECROFT	432	2.32	37.0	43.3	(6.3)
BERSHAM	285	2.48	43.0	46.3	(3.3)
BICKERSHAW	401	2.32	40.6	43.1	(2.5)
BOLD	507	1.90	41.3	55.9	(14.6)
CRONTON	260	2.19	39.6	42.5	(2.9)
FLORENCE	902	3.21	39.1	35.1	4.0
GOLBORNE	518	3.04	40.0	36.7	3.3
HAIG	306	1.78	47.2	55.0	(7.8)
HEM HEATH	1132	2.96	38.3	37.7	0.6
HOLDITCH	333	2.26	48.2	47.4	0.8
LEA HALL	1396	3.12	36.6	33.1	3.5
LITTLETON	965	2.44	38.3	40.4	(2.1)
PARKSIDE	850	2.41	45.4	42.3	3.1
PARSONAGE	324	3.16	40.4	34.1	6.3
POINT OF AYR	460	3.16	38.6	31.5	7.1
SILVERDALE	529	3.50	37.7	31.6	6.1
SUTTON MANOR	384	2.20	39.7	49.0	(9.3)
WOLSTANTON	447	1.83	49.7	55.3	(5.6)

N.C.B. DEEP-MINES
COLLIERY FINANCIAL RESULTS - 1982/83
SOUTH-WALES AREA

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
ABERNANT	128	0.79	56.2	111.8	(55.6)
ABERPERGWM	82	1.37	55.6	68.8	(13.2)
ABERTILLERY	83	0.79	45.9	109.0	(63.1)
BEDWAS	179	1.42	44.3	64.5	(20.2)
BETWS	548	4.17	57.6	47.0	10.6
BLAENANT	437	3.17	23.9	31.9	(8.1)
<i>closed</i> <i>8/7/83</i> - BLAENGWRACH	55	1.21	54.3	75.1	(20.8)
BLAENSERCHAN	114	1.27	45.9	71.2	(25.3)
<i>closed</i> <i>8/12/83</i> - BRITANNIA	209	2.35	37.9	40.3	(2.4)
<i>closed</i> <i>5/9/83</i> - BRYNLLIW	122	0.92	48.5	107.5	(59.1)
CELYNEN NORTH	138	1.17	45.6	83.2	(37.5)
CELYNEN SOUTH	114	1.19	45.9	76.0	(30.1)
CWM/COEDEL	540	2.16	47.1	47.6	(0.5)
CYNHEIDRE	206	1.02	64.6	88.6	(24.0)
DEEP NAVIGATION	347	2.26	45.4	41.7	3.7
GARW/FFALDAU	139	0.96	41.8	96.3	(54.5)
LADY WINDSOR	446	1.97	42.6	48.1	(5.4)
MARDY	161	1.02	55.5	82.7	(27.2)
MARINE	328	2.40	45.2	42.2	3.1
MARKHAM	178	1.46	45.8	66.1	(20.3)
MERTHYR VALE	251	1.76	45.0	56.5	(11.5)
NANTGARW	159	1.32	47.1	84.4	(37.3)
OAKDALE	178	0.97	46.1	96.3	(50.2)
PENALLTA	221	1.74	42.5	49.4	(6.9)

N.C.B. DEEP-MINES
 COLLIERY FINANCIAL RESULTS - 1982/83
 SOUTH-WALES AREA (continued)

COLLIERY	SALEABLE OUTPUT ('000 TNES)	OVERALL OMS (TNES)	NET PROCEEDS (£/TNE)	OPERATING COST (£/TNE)	OPERATING SURPLUS/(LOSS) (£/TNE)
PENRIKYBER	129	0.99	49.4	83.0	(33.5)
SIX BELLS	166	1.87	44.7	55.7	(11.0)
ST. JOHNS	212	1.24	42.5	68.2	(25.7)
TAFF MERTHYR	444	3.13	38.6	34.0	4.6
TOWER	64	0.47	57.9	170.6	(112.7)
TREFORGAN	7	0.11	58.9	908.3	(849.4)
TRELEWIS	225	3.07	30.5	45.1	(14.6)
closed 17/6/83 → TYMAWR	106	0.99	47.4	83.3	(35.9)
closed 7/1/84 → WYNDHAM/WESTERN	99	0.75	43.9	112.3	(68.3)

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MR TURNBULL

COAL: OPERATING COSTS

The information contained in the enclosed lists of 1982/83 financial results on a pit-by-pit basis should be treated with caution:

a. one year's figures are not a good guide to the overall performance of a particular pit. The impact of development work, geology, etc. can easily distort the results.

b. The fact that a pit is shown as a loss-maker does not necessarily mean that it has not got a future. A pit scheduled for closure is normally one which has had a history of losses over a number of years and for which there are no prospects of economic viability.

c. The lists are annotated to indicate which pits have been recently closed. Of the remaining 174 pits, 110 are shown as loss-making (63 per cent by number but representing 49 per cent of output). Operating results do not include a cost of capital, so the general financial position is even worse.

	<u>BY AREA</u>	
	<u>Total number of pits</u>	<u>Number of loss-makers</u>
Scottish Area	8	8
North-east Area	17	13
North Yorkshire	11	7
Doncaster	10	7
Barnsley	16	10
South Yorkshire	16	9
North Derbyshire	10	3
North Notts	14	6
South Notts	11	5
South Midlands	16	10
Western	17	8
South Wales	28	24
TOTAL	174	110

The above list indicates that no pits in Scotland made a profit. This has been the situation since 1980, although it does not necessarily mean that no pits in Scotland have a future.

d. It should be stressed that economic viability does

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- 2 -

not require closures of this magnitude. In order to break even, the coal board will need to shut something in the order of 40 to 50 pits. There is therefore still a long way to go after Ian McGregor's current proposals to shut 20 pits.

e. Although not all of the pits which have recently been closed are the worst offenders, they usually have had a rapidly rising trend in losses or have been amalgamated, for example with a neighbouring pit.

Conclusion

The figures are a good guide to the scale of the problem but should not be used to indicate which pits have or do not have a viable future.

DLP.

David Pascall

11 May 1984

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CONFIDENTIAL

01 211 6402

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer
HM Treasury
Parliament Street
LONDON SW1P 3AG

11 May 1984

Dear Chancellor

The NUM have endeavoured to portray the management of the potential closure of Cortonwood as an example of the ruthlessness of the National Coal Board. I thought you might like to see the attached letter which the Board sent to all miners at Cortonwood on 28 March. I am copying this to other members of MISC 101.

Yours sincerely

J S Neilson

pp

PETER WALKER

*(approved by the Secretary of State
and signed in his absence)*

CONFIDENTIAL

National Coal Board
South Yorkshire Area, Golden Smithies Lane,
Wath-upon-Deerne, Rotherham S63 7EW
Telegrams: Coalarea Wath-upon-Deerne
Telex: 882161 (CBHOB G)
'Station Code' SYK

NCB

28th March, 1984

Our ref
Your ref

For the past few weeks the normal methods of communication between us have not been open and we have had, in effect, to talk to each other through the media. I think it is right for me now to write to you personally, to give you the full facts about the future of your colliery and, hopefully, rid your mind of any nagging doubts you may have.

The first thing I must stress is that every man who wants a job will have the opportunity of transferring to another local pit. What I said at the Area Review Meeting, attended by all Trade Unions' Representatives, was that I intended to offer men over the age of 50 the opportunity of voluntary redundancy and the younger men the chance to transfer elsewhere with the usual transfer allowance of up to £1,550. But nobody will have to leave the industry against his will.

All the younger men at the colliery who still have long careers ahead of them are well aware that Cortonwood has only a short life, even if all the reserves were to be worked out. In two years' time when the North area is exhausted, there would have to be a big reduction in manpower, and three years after that the remaining reserves would all have gone. By bringing forward these inevitable transfers of men, I can guarantee everybody a job. At this stage I cannot possibly give such a guarantee for up to five years from now.

At the Area Review Meeting I proposed that we should meet again quickly with the local representatives of each Union present. Two of the Unions have agreed to such a meeting but the N.U.M. have not. After the meeting with the local Branches, it is still open to any of the Unions to appeal against my decision to bring forward the closure. I also gave an undertaking, which still stands, that until the Review Procedure had been fully exhausted and the outcome known, I would take no steps to implement the closure. No developments will be stopped or production districts salvaged.

The majority of the other pits in South Yorkshire Area have reserves to last for many years to come and most of them are already profitable. The Area is still investing at a rate of £30 million a year to guarantee a prosperous coal-mining industry in South Yorkshire well into the future.

cont.....

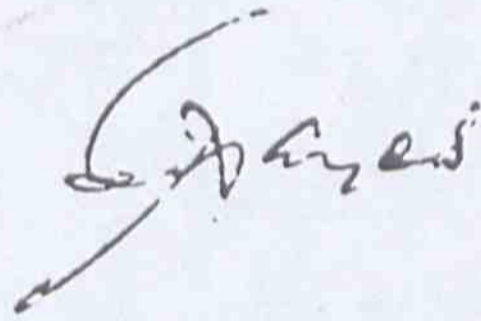
Telephone: Rotherham 873331 (Daytime)
872277 (Night)

I am well aware that more than 80 of you have only moved from Elsecar within the last few months and are obviously concerned at the prospect of a further upheaval. I am sorry if any of you feel misled by the advice which was given to you in good faith at the time. Those of you who did move from Elsecar, however, will be entitled to the same conditions as everybody else on Cortonwood's closure, and those who want to stay in the industry will, of course, be entitled to the normal transfer allowance when they move to another pit.

I hope this letter has cleared up some of the misunderstandings that have occurred in recent weeks. On an important issue such as this, however, there are obviously many points that need to be raised and many details settled that can only be done when we are able to get together round a table.

I hope that before long this will be possible.

Yours sincerely,



G. Hayes
Director



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P.01284

PRIME MINISTER

MISC 101(84)15th Meeting: Coal

After the usual reports, you will wish, in the light of the exchanges in Cabinet on 10 May (CC(84)18th Conclusions, Minute 5) to have a general review of tactics. Depending on developments by the time of the meeting you may wish to concentrate particularly on:

- i. Full use of the criminal law
 - to prevent intimidation not only at the workplace but on the way to work and at home
 - to deal with violence and criminal damage.

(The Attorney General hopes to be able to attend and is re-arranging his diary for this purpose; failing that the Solicitor General will come.)
- ii. Support for the miners from the rail unions.
- iii. The battle for the hearts and minds of the rank and file miners
 - the latest assessment of the effects of NUM rallies
 - efforts by moderates in the strike bound areas to start a return to work
 - the NCB mailshot to individual miners.
- iv. Contacts between the NCB and the NUM
 - is there any significant softening of the NUM position since last week's National Executive meeting?

See attached letter from Mr Ridley. Mr Walker is very concerned and may speak to you over the weekend.

AT
11/5

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Next meeting

2. In the light of the discussion you will wish to judge whether to have a further meeting of MISC 101 on Wednesday (a provisional time has been booked at 2.15pm) or wait until Thursday's Cabinet. (You will have an opportunity to talk to the Secretary of State for Energy and the Chancellor but none of the other members of MISC 101 at the special meeting which has been arranged for 11.30am on Tuesday at Mr Walker's request to talk about the problems of recovery after the strike and their financial implications.

PLG
P L GREGSON

11 May 1984

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SECRET



With the Compliments
of the
PRIVATE SECRETARY

Home Office
Queen Anne's Gate
SW1H 9AT

From: THE PRIVATE SECRETARY

NBPV

Coal file

AT 14(1)



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

11 May 1984

Dear Michael,

We spoke on the telephone about Home Office attendance at your Secretary of State's daily meetings on the miners' dispute.

I understand that it was agreed at the beginning of the dispute that officials of the Departments concerned should attend these daily meetings, but the length of the dispute means that they are putting a severe strain on our limited resources and the Home Secretary believes that there is now a case for changing the present arrangements. The position is that the Under-Secretary concerned (David Hilary) was in the Cabinet Office Briefing Room for the period after the shooting outside the Libyan People's Bureau, and is now heavily involved in the aftermath of that incident and in other urgent matters. The Assistant Secretary (Roy Harrington) is almost permanently engaged on meetings on terrorism and on other security matters. The Principal (Peter Honour) is the only one in the Home Office who deals with public order, and among other things is having to do virtually all the Home Office work on the miners' dispute.

We therefore wonder if, instead of sending an official to your Secretary of State's meetings, we could send you the daily report prepared by the police National Reporting Centre at Scotland Yard. This is usually produced by about 9.15 am, and could be sent 'by hand' to your office. The report in fact contains all the information which David Hilary and Peter Honour have when they go to the meetings. They would of course be glad to supplement this report by answering on the telephone any questions you may have (Peter Honour 213 6249, David Hilary 213 7217). And needless to say, we would arrange for an official to attend any particular meetings at which your Secretary of State thought their attendance was desirable.

I am sending a copy of this letter to Andrew Turnbull at No 10.

I am sincerely,
Nigel Pantling

N A PANTLING

Michael Reidy, Esq

immigration officers to preclude them from reading private letters in the possession of applicants for entry, making inquiries about applicants' sex lives, or making decisions on whether to grant entry dependent in any way on the personal relations between the applicant and his or her near relations.

Mr. Waddington: The Immigration Act 1971 empowers Immigration Officers to require the production of documents, including letters, carried by those seeking leave to enter. Instructions make it clear that personal letters are only to be read when this is necessary for the consideration of the case, and should not be examined without the consent of the passenger save after reference to a supervising officer. Immigration Officers are required to be tactful when questioning passengers but the grant of leave to enter will often depend on an assessment of the purpose of the proposed stay here and in some cases will inevitably involve questions being asked about personal relationships. I am not persuaded that the relevant instructions require revision.

Refugees

Mr. Corbyn asked the Secretary of State for the Home Department after what period of residence in the United Kingdom refugees may be granted indefinite leave to remain; and what powers he has to exercise discretion in this matter.

Mr. Waddington: Normally four years after recognition as a refugee but there is no right to settlement under either the 1951 convention relating to the status of refugees or the immigration rules. Applications are considered in the light of all the relevant circumstances including the considerations set out in paragraph 97 of the immigration rules.

Coal Industry Dispute

Mr. Tony Banks asked the Secretary of State for the Home Department what information he has as to how much is being paid for overtime work each week associated with policing the current dispute in the mining industry (a) in total to date and (b) on average amongst the officers involved.

Mr. Hurd: I do not have this information.

Mr. Andrew Stewart asked the Secretary of State for the Home Department whether he will give financial assistance to those police authorities which are incurring additional expenditure as a result of the miners' dispute; and if he will make a statement.

Mr. Brittan: The central Government already pays police grant of 50 per cent. on all approved police expenditure, but some police authorities have incurred substantial additional expenditure as a result of the miners' dispute, and I recognise that some additional help to them from central Government is necessary. It would not be right in principle for the central Government to bear all the additional cost, but I am prepared to make a special payment of 40 per cent. in addition to the normal police grant, of gross approved additional expenditure above the product of a penny rate. My Department will shortly discuss the matter in greater detail with the Association of Metropolitan Authorities and the Association of County Councils.

I also recognise that the police forces which have supplied mutual aid have had to incur additional expenditure on overtime payments to compensate for the absence of some of their officers. Under section 14 of the Police Act 1964 it is for the police authorities concerned to agree on the payments to be made by a force receiving mutual aid to the force supplying it, in the absence of agreement, the Secretary of State is to decide. My view is that it would be reasonable for the aided force to pay to the supplying force the additional costs, such as transport and overtime, incurred in respect of the units which have been sent as mutual aid; that the basic costs of men and vehicles, such as the basic pay, should not be reimbursed; but that some additional payment might reasonably be made in recognition of the additional expenditure on overtime incurred in the police area of the forces supplying mutual aid. While these are matters for the police authorities concerned in the first instance, the additional payments from the central Government which I have announced will take account of any payments that a police authority receiving mutual aid might agree to make in recognition of the additional overtime being worked in the police areas of those forces supplying mutual aid, but not of any payments in respect of the basic costs of the men and vehicles involved.

My right hon. Friend the Secretary of State for the Environment is today making an announcement about exemption from grant holdback of the additional expenditure incurred by local authorities as a result of the policing of the dispute.

My right hon. Friend the Secretary of State for Scotland will determine what broadly comparable arrangements should be made to take account of the different circumstances in Scotland.

Chief Constable of Essex

Mr. Proctor asked the Secretary of State for the Home Department when he last met the chief constable of Essex; and what was the substance of his discussion on that occasion.

Mr. Hurd: My right hon. and learned Friend has not yet met the chief constable of Essex.

Remand Statistics

Mr. Corbyn asked the Secretary of State for the Home Department how many people are held on remand in prisons in England and Wales as a result of prosecutions in Northern Ireland.

Mr. Hurd: The information requested is not recorded centrally.

Aliens (Political Activities)

Mr. Corbyn asked the Secretary of State for the Home Department if he will list his powers to restrict the political activities of aliens temporarily resident in the United Kingdom.

Mr. Waddington: My right hon. and learned Friend has no such specific powers and in exercising his powers under the immigration Act 1971 he is not generally concerned with a person's political activities, but he may have regard, under paragraph 97 of the immigration rules,

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File on

Blue Prime Minutes

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MR. TURNBULL

You may like to look at N Pascalis note before Cabinet. You can peruse the table at the weekend.

AT 9/5

COAL

Operating Costs - Pit by Pit

We enclose lists of 1982/83 financial results on a pit by pit basis. The lists are annotated to indicate which pits have been subsequently closed.

Closures

The NCB's closure plan does not 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 one particular 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 future 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

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offset by new capacity. The problem for the Board therefore is that although total 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.

Maintenance

Essential maintenance and safety cover is being carried out by the management unions and the NUM where appropriate. No pits which are not working are therefore likely to be permanently shut unless safety cover is withdrawn. The Bogside Pit which is referred to in the press was shut permanently during the overtime ban when safety cover was withdrawn but this has not occurred during the current dispute.

Opencast

Opencast coal is being produced at near normal levels - about 0.3mt per week. Workers at NCB opencast sites are in general members of the TGWU who have not responded to NUM pressure to stop work. Very little opencast coal is being moved and this is mainly occurring in those areas where deep mine pits are still working.

Miners' Endurance

The NUM do not pay strike pay. Pickets are receiving some expenses although this is probably now less than £5 per day.

A striking miner receives supplementary benefit for his family, ie not for himself nor for his wife if she is working. He is deemed to be getting £15 per week strike pay which is deducted from the supplementary benefit. He also receives child benefit although the supplementary benefit is adjusted to take account of this.

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It is not
thought that
the union whip round
is producing anything.

A married miner with a wife not working and two children at school will be receiving about £29 per week.

In addition families on supplementary benefit can receive help with housing in the form of mortgage interest payments and rent payments. Soup kitchens and playgroups are also in operation to the benefit of striking families.

Financial hardship is likely to become an increasingly relevant factor in this dispute although miners' endurance is notoriously long.

Conclusions

The current policy of maximising power station endurance and giving no concessions to the NUM should be continued. The Coal Board should continue to monitor opinion within the mining ranks and to press home the NCB's case as forcibly as possible.

If the dispute continues through the summer, we shall need to consider whether a change of strategy is required. A tougher approach in July for example could have the twin benefits of confirming to moderate mining opinion that the Government is determined to win and could also ensure that we obtain maximum advantage from the dispute. One example of tougher measures would be to withdraw management/union maintenance and safety cover in loss-making pits.

We shall also need to consider other options for increasing endurance. To a very limited extent, there is some scope for reducing electricity demand by banning display lighting and reducing voltage before rationing or rota cuts are contemplated. Other major options include transporting coal from the pits and opencast mines to the power stations and increasing imports.

DLP.

9 May 1984

DAVID PASCALL

Ref. A084/1380

PRIME MINISTER

Cabinet: Industrial Affairs: Coal

You will wish to ask for reports from:

- (i) the Secretary of State for Energy:
 - (a) on the number of pits and miners working;
 - (b) on likely initiatives by Mr Scargill, and developments in the NUM following tomorrow's meeting of its National Executive;
- (ii) the Home Secretary:
 - (a) on the law and order situation;
 - (b) on costs of policing in the current financial year;
- (iii) the Secretary of State for Scotland:
 - (a) on the situation at Ravenscraig;
 - (b) on the attitude of the Chief Constable of Strathclyde to stopping flying pickets before they have the opportunity to assemble in large numbers, and to seeking assistance from other police forces;
(in response to the enquiries at last Tuesday's meeting of MISC 101)
 - (c) on the Scottish TUC's day of action today;
- (iv) the Secretary of State for Trade and Industry:
 - (a) on Ravenscraig (to supplement the report from the Secretary of State for Scotland);
 - (b) on other problems affecting the British Steel Corporation and coal-burning industry;
- (v) the Secretary of State for Transport:
 - (a) on coal movements;
 - (b) on the prospect for industrial action by the rail unions over pay and productivity and the chances of Mr Scargill succeeding in getting more effective support for the miners by railwaymen.

Costs of policing

2. On costs of policing you will have seen the Home Secretary's **FLAGS A+B** letter to the Chief Secretary and the Secretary of State for the Environment of 8 May proposing:

- (i) that in addition to the normal 50 per cent specific grant there should be a special payment of 40 per cent of additional expenditure as a result of the miners' dispute above the product of a penny rate;
- (ii) that the payments made to police authorities supplying mutual aid should include not only the additional costs such as transport and overtime incurred in respect of the units sent as mutual aid, but also additional expenditure on overtime incurred in the police area of the forces supplying mutual aid;
- (iii) that there should be a simultaneous announcement by the Secretary of State for the Environment that any additional expenditure by local authorities arising from the miners' dispute should be disregarded for the purposes of grant holdback in 1984-85;
- (iv) that these announcements should be made by Parliamentary Answer tomorrow (Thursday).

Chief Secretary's response is at Flag C

3. We understand that Treasury and Department of the Environment officials are briefing their Ministers to resist these proposals on the grounds that they have unwelcome expenditure implications for central Government, could raise awkward precedents, and ought to be considered more fully rather than rushed through the Cabinet. We do not know whether their Ministers will accept this advice, in view of your view, expressed at the last meeting of Cabinet, that the problem of policing costs in 1984-85 should be dealt with promptly and sympathetically.

4. Whether or not the substance is agreed, the Cabinet may share the view expressed by the Lord President that it would be better not to make the announcement as early as tomorrow.

Policing in Scotland

5. We understand that the Secretary of State for Scotland is likely to say that the Chief Constable of Strathclyde is no less ready than Chief Constables in England and Wales to stop flying pickets from assembling when he considers that this would be justified. It has in fact been reported today that a coach has been stopped. On mutual aid he is likely to say that the Strathclyde Police is one of the largest forces in Britain (accounting for about half the total police in Scotland) and is at present confident that it will be able to handle the situation at Ravenscraig without outside help.

Water industry pay

6. It is no longer possible to contrast the miners' dispute over pay with the settlement reached in water as well as gas and electricity. You will have seen the press reports that the two-year deal (5.2 per cent on rates or 4.8 per cent on earnings in the first year, 4.3 per cent on rates or 4.1 per cent on earnings in the second year) has been rejected despite recommendations from the union negotiators. There is likely to be a resumption of negotiations on the basis of a one-year deal only. There is no suggestion at present that industrial action is a possibility.



ROBERT ARMSTRONG

9 May 1984

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PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

9 May 1984

Dear Leon

MINERS' DISPUTE: POLICING COSTS

Thank you for sending me a copy of your letter of 8 May to the Chief Secretary about the arranged Question and Answer which you would like to give tomorrow.

I am quite content with the proposed text of the Answer, but I am rather concerned about the proposed timing. The Executive of the NUM meets tomorrow and I think they would be likely to make great play of the Answer to highlight the role of the police in the dispute, its cost to public funds, and what they would no doubt describe as Government "backing" for action against their pickets. I am anxious that as little publicity as possible should be given to the role of the police. Ideally, it would be best to postpone your announcement until after Monday 14 May, when the NUM Executive hopes to be able to close the whole of the Nottinghamshire coalfield.

I appreciate that you are under strong pressure from the local authority associations to make an early announcement, but from the public relations and handling point of view there would be considerable advantage if you could give the Answer early next week or, if that is not possible, at least this Friday rather than tomorrow.

I am sending copies of this letter to the Prime Minister, to those who attended the last meeting of MISC 101, to George Younger, Patrick Jenkin and Peter Rees, and to Sir Robert Armstrong.

George Younger
Patrick Jenkin

The Rt Hon Leon Brittan QC MP

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Secretary of State for Trade and Industry

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DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET

Telephone (Direct dialling) 01-215 5422

GTN 215

(Switchboard) 215 7877

9 May 1984

The Rt Hon Peter Rees QC MP
Chief Secretary
HM Treasury
Treasury Chambers
Whitehall SW1

D. Peter,

MINERS' DISPUTE: POLICING COSTS

I have seen a copy of Leon Brittan's letter to you of 8 May, and his proposed arranged Question and Answer on the policing costs of the miners' dispute. I would like to support his proposals for meeting the additional costs of the dispute, and I agree with the lines of the statement which he proposes to make on Thursday.

2 I also agree with Leon's proposal in his letter to Patrick Jenkin of 8 May that we should exempt from grant holdback the additional part of a local authority's expenditure in 1984/85 which arises from the policing of this dispute.

3 I am sending copies of this letter to the Prime Minister, the other members of MISC 101, George Younger and Patrick Jenkin, and to Sir Robert Armstrong.

Norman

NORMAN TEBBIT

NBPM AT 1015

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SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
01 211 6402

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

9 May 1984

Dear Andrew

I attach this week's report on power
station endurance.

*Yours
John*

J S NEILSON
Private Secretary

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ce ~~My~~ Gregson

POWER STATION ENDURANCE

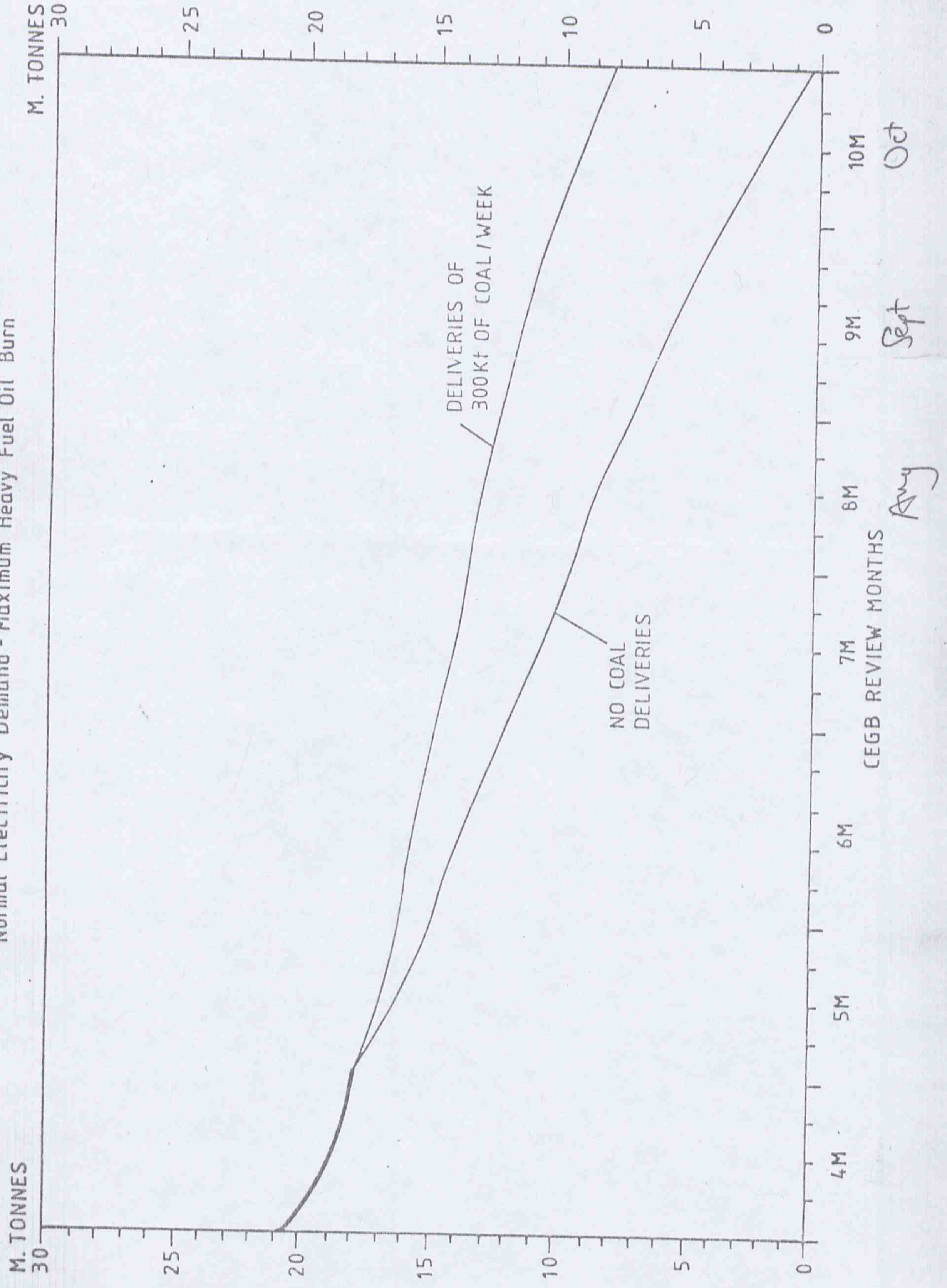
1. Firm figures for last week are not yet available because of the Bank Holiday. Provisional estimates from the CEBG are: 0.4 mt coal received, 0.65 mt burned, giving a stock draw of 0.25 mt. Coal stocks last Sunday night would have been about 17.7 mt (with just under 2 mt more in Scotland). The attached diagram shows the CEBG's forecasts for power station stocks on the basis of further deliveries of zero and 0.3 mt a week.
2. NCB total deliveries last week were 0.6 mt so that 0.2 mt went to customers other than power stations.
3. The range of endurance outcomes may be indicated as follows:

<u>Coal deliveries</u>	<u>Oil burn (% of max)</u>	
	<u>80%</u>	<u>100%</u>
0	late Sept	late Oct
0.3 mt/week	mid Nov	mid Dec

Department of Energy
8 May 1984

Indicative Profile of Estimated CEGB Power Station Coal Stocks

Normal Electricity Demand - Maximum Heavy Fuel Oil Burn



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D J M C 1.5.84

Prime Minister

cc Miss Lewis-Jones

1. MR BUTLER
2. PRIME MINISTER

Since this is the Lord President's view as well as Bernard's, you should see, though we discussed the point this morning.

KFB

7.5.

COMPENSATION FOR MINERS' POLICING

I have discussed this subject with Lord Whitelaw and I am minuting you as a consequence.

Lord Whitelaw shares my view that it would be wrong in public relations terms to make an announcement tomorrow when the NUM executive is meeting. This would simply afford Mr Scargill with an opportunity to divert attention from his problems on to what he would no doubt describe as a development of the police state.

It follows that in an ideal world it would be better to defer any announcement until after Mr Scargill's attempt next Monday to bring the Nottinghamshire coalfield to a halt.

It may be that the Home Secretary is under pressure to make an announcement. If so, we would hope it could at the very least be held back until Friday.



BERNARD INGHAM
9 May 1984

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Prime Minister ⁽²⁾

cc DP
M Gregson

To note. The cost of the dispute and who bears it are on the agenda for the meeting with Mr Walker on 15 May

Treasury Chambers, Parliament Street, SW1P 3AG
01-233 3000

AT
8/5

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8 May 1984

Andrew Turnbull Esq
No 10 Downing Street
LONDON SW1

Dear Andrew,

COAL STRIKE COSTS

... I enclose the note on the costs of the current coal strike which the Chancellor promised to send the Prime Minister at his meeting with her last week.

Yours sincerely,

Margaret O'Mara

Miss M O'Mara

COAL STRIKE COSTS

This note provides some broad figures on the costs of the current coal strike.

A. Cost of oil burn to the CEGB

2. The CEGB is now burning extra oil rather than using coal to generate electricity.
3. In April as a whole the extra cost of oil to the CEGB was £50 million. This was the period during which the CEGB was moving to full oil burn. We are now at full oil burn and the extra cost of oil is now £50 million a week.
4. Against this gross cost can be set the CEGB's savings of £30 million a week from using less coal. On this basis the net extra cost to the CEGB of full oil burn is £20 million a week.

B. Public expenditure and PSBR

5. In public expenditure terms the CEGB's saving on coal is cancelled out by the related loss of NCB revenue. So the relevant costs are the £50 million a week cost of extra oil that the CEGB will have to bear if this is not recovered from consumers through a temporary increase in prices; and the immediate impact of the strike on the NCB, which is to save ^{including} miners' pay of £40 million a week. These together give a net cost of £10 million a week. As from the beginning of May, there will be a further loss to the NCB of up to £10 million a week in sales to the private sector.

6. Elsewhere in the public sector additional costs are arising of the following order:

Policing .	£2-3 million a week
Social security payments to miners	<u>£1½ million</u> a week
British Rail loss of revenue	£3 million a week

It is likely that British Steel are also losing revenue but they are unwilling to put a figure on this.

7. The increased costs of oil burn can be met either by allowing the additional cost to the CEGB of oil burn to feed through into temporarily higher electricity prices, or by accepting a claim within the public expenditure contingency reserve. However, it is already clear that the contingency reserve is likely to be under considerable pressure from other claims during the course of this year. So the second option could, over a period of weeks, substantially threaten our ability to hold to the aggregate public expenditure and PSBR targets.



cc. nr. 2
A Prime Minister's
Inty. Clerk
P/S

QUEEN ANNE'S GATE LONDON SW1H 9AT

8 May 1984

R Patrick,

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MINERS' DISPUTE: POLICING COSTS

I have sent you a copy of my letter of today to the Chief Secretary. Chief Constables are extremely worried about the financial consequences of the miners' dispute for police budgets, and I think it is clear that there is an overwhelming case for extending the disregard to 1984/85. I very much hope that you will feel able to announce this Thursday, alongside my own announcement of additional help, that you will exempt from grant holdback the additional part of a local authority's expenditure in 1984/85 which arises from the policing of the miners' industrial action.

I am sending copies of this letter to the Prime Minister, the other members of MISC 101 and George Younger, and to Sir Robert Armstrong.

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The Rt Hon Patrick Jenkin, M.P.



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Prime Minister
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QUEEN ANNE'S GATE LONDON SW1H 9AT

8 May 1984

De Peter,

mt

MINERS' DISPUTE: POLICING COSTS

When Cabinet discussed the miners' dispute on 3 May I said that I would be putting forward proposals shortly about the costs of extra policing falling on police authorities during the current financial year. The Prime Minister said that any problems over such costs would need to be dealt with promptly and sympathetically.

On 29 March, with the agreement of colleagues, I told a delegation from the Nottinghamshire Police Authority that I recognised that some additional help from central Government was necessary; that I could not decide on the extent of that help until the full amount of the extra expenditure was known; but that when it was I would consider the matter sympathetically and generously.

The long duration of the dispute makes it essential that I should now announce the extent of the help that we shall give. There are two aspects to the problem: that of the forces receiving mutual aid and that of the forces providing it.

Up to the end of last week, the Nottinghamshire force had received a total of 4,574 Police Support Units (PSUs - 23 men each) from other forces, measured in "PSU days", since the dispute began. Derbyshire had received 1,458, Leicestershire 1179, North Wales 305, Warwickshire 971, Staffordshire 134, Cumbria 6, South Yorkshire 182, Humberside 32, South Wales 9, Suffolk 11 and Essex 4. The best estimate that the Chief Constable of Nottinghamshire can make of the additional cost to his force of policing the dispute up to the middle of last week is £14.5M if the supplying forces are paid only the additional costs of the PSUs (overtime etc), and £20M if the supplying forces are charged the full economic cost (i.e. including basic pay etc). No other force has received aid on the scale that Nottinghamshire has, but the burden on Derbyshire, Leicestershire, Warwickshire and, in proportion to its resource, North Wales is also very heavy.

The police service is responding superbly to the problem of policing the dispute, and I am sure it will continue to do so, but the uncertainty on the financial side is extremely worrying to Chief Constables and to police authorities (some of which are seeking to embarrass us politically over the issues) and we must remove that uncertainty without delay. Otherwise there will be cuts in police budgets in the areas most affected which will result in wholly unacceptable reductions in the standard of policing. I should, therefore, like to make an announcement this Thursday.

It would be wrong in principle for central Government to pay the full cost: policing is essentially a local matter, and it is right that forces such as Nottinghamshire should absorb some of the additional costs. We need to find a threshold, varied according to the resources of the force concerned, above which special help would be given. The product of a penny rate seems a useful reference point.

I propose the following scheme. Additional expenditure (whether on mutual aid, on a force's own PSUs or on overtime worked by officers to cover for their colleagues on PSU duty) up to the product of a penny rate should qualify only for police grant of 50 per cent in the usual way. Above that figure, we should make a special payment of 40 per cent in addition to police grant.

The Rt Hon Peter Rees, QC., MP.

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/cont ..

If Nottinghamshire (penny rate product £1.2M) incurred total gross additional expenditure of £15M (though it is likely to be a good deal more than this), a formula on those lines would work as follows. On the first £1.2M they would receive normal police grant of £0.6M. On expenditure above £1.2M they would receive normal police grant plus a special payment of 40 per cent - total £12.42M. The total amount to be found by the central Government would be £13.02M and by Nottinghamshire £1.98M - a net addition to central Government expenditure of £5.52M, since in the absence of any special arrangement £7.5M would be payable in police grant.

I do not in fact think that the Nottinghamshire police budget could absorb even the additional expenditure which this formula would leave them with without unacceptable consequences. Their police estimate for 1984/85 is £45.2M. Some additional lump sum payment may also be necessary. But we cannot judge that at this stage, and I do not suggest that I should refer to the possibility in my announcement.

There is also a problem about the forces which are supplying mutual aid and which are having to work additional overtime in their own areas to compensate for the men they have lent to Nottinghamshire and others. By way of example, we understand that the West Midlands force has spent £250,000 so far on this additional overtime, and that Bedfordshire and Surrey are spending £4,000 and £12,000 a week respectively.

A circular issued by the Home Office in 1973 recorded an agreement with the Association of Municipal Corporations and the County Councils Association that mutual aid should be treated for repayment purposes in one of three ways: "small scale aid", for which no charge should be levied; "larger scale aid", where charges should be levied for additional costs (travelling, subsistence, overtime, etc.) but not for the basic costs of men, vehicles and animals; and "major aid", where the full economic cost should be recovered (i.e. including basic pay etc.). "Major aid" charges should be made "for long term aid where there is little prospect of reciprocity, as in the aid which was given by the Metropolitan Police to the Royal Ulster Constabulary".

Under Section 14 of the Police Act 1964 it is for the police authorities concerned to reach agreement on the sums to be paid; in default of agreement, I have to decide.

I have expressed the view that charges for mutual aid in the miners' dispute should be on the "larger scale aid" basis, on the ground that there is a prospect of reciprocity; and to charge as "major aid" would escalate the cost to the aided forces enormously (from an estimated £14.5M to £20M so far for Nottinghamshire.) But there will be difficulties in maintaining this line without any qualification. Some police authorities are saying that there is no prospect of reciprocity, i.e. of their ever having to ask for mutual aid on the scale that they are providing it. And although the sums expended by aiding forces may seem small, police budgets are already severely squeezed; the Chief Constable of West Midlands estimates that if he is reimbursed only on the "larger scale aid" basis his police authority will require him to carry more than a hundred extra vacancies on his police establishment.

I continue to think that payment as "major aid" would be inappropriate. Apart from the principle of reciprocity, the charges would be very high. I am ~~told that~~ West Midlands, if charging the full economic cost for what they have provided so far, would receive just under £1M, whereas the additional cost of the PSUs is £400,000 and £250,000 has been spent on additional overtime in the West Midlands itself. So they would make a profit.

I cannot stop police authorities agreeing to pay on a "major aid" basis, but I do not think that any additional payments so made should qualify for the special central Government assistance I propose. But I do think there is a case for aided authorities making some extra payment to the aiding authorities in recognition of the extra overtime worked in the latter's force areas, though we cannot judge at this stage precisely what extra payment would be appropriate.

..... { I enclose a draft of an arranged Question and Answer, which I should like to give this Thursday. I very much hope you will feel able to agree to this.

DRAFT ARRANGED PARLIAMENTARY QUESTION AND ANSWER

To ask the Secretary of State for the Home Department, whether he will give financial assistance to those police authorities which are incurring additional expenditure as a result of the miners' dispute; and if he will make a statement.

DRAFT REPLY

The central Government already pays police grant of 50 per cent on all approved police expenditure, but some police authorities have incurred substantial additional expenditure as a result of the miners' dispute, and I recognise that some additional help to them from central Government is necessary. It would not be right in principle for the central Government to bear all the additional cost, but I am prepared to make a special payment of 40 per cent in addition to the normal police grant, of gross approved additional expenditure above the product of a penny rate. My Department will shortly discuss the matter in greater detail with the Association of Municipal Authorities and the Association of County Councils.

I also recognise that the police forces which have supplied mutual aid have had to incur additional expenditure on overtime payments to compensate for the absence of some of their officers. Under section 14 of the Police Act 1964 it is for the police authorities concerned to agree on the payments to be made by a force receiving mutual aid to the force supplying it; in the absence of agreement, the Secretary of State is to decide. My view is that it would be reasonable for the aided force to pay to the supplying force the additional costs, such as transport and overtime, incurred in respect of the units which have been sent as mutual aid; that the basic costs of men and vehicles, such as the basic pay, should not be reimbursed; but that

I am sending copies of this letter to the Prime Minister, the other members of MISC 101, George Younger and Patrick Jenkin, and to Sir Robert Armstrong.

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some additional payment might reasonably be made in recognition of the additional expenditure on overtime incurred in the police area of the forces supplying mutual aid. While these are matters for the police authorities concerned in the first instance, the additional payments from the central Government which I have announced will take account of any payments that a police authority receiving mutual aid might agree to make in recognition of the additional overtime being worked in the police areas of those forces supplying mutual aid, but not of any payments in respect of the basic costs of the men and vehicles involved.

My Rt Hon Friend the Secretary of State for the Environment is today making an announcement about exemption from grant holdback of the additional expenditure incurred by local authorities as a result of the policing of the dispute.



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PRIME MINISTER

MISC 101(84)14th Meeting: Coal

You will no doubt wish to follow the normal pattern of:

- reports;
- discussion;
- action to be taken.

2. Depending on developments by the time of the meeting you may wish to explore in particular:

- i. any evidence of weakening of support for the strike;
- ii. the extent to which mass picketing and demonstrations by the NUM have occurred and have had any effect;
- iii. the latest position at Ravenscraig;
(particularly in the light of reported efforts by the TGWU to prevent private sector lorry drivers from crossing the NUM picket lines)
- iv. the latest information about coal movements generally;
- v. the implications of the threatened industrial action by rail unions over pay and productivity (overtime ban, no rest-day working, non-cooperation, etc);
- vi. any developments relating to civil action in the courts (eg by British Steel).

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Next meeting

3. Unless there is some unforeseen development, you will probably be content to have the next discussion under the Industrial Affairs item at Thursday's Cabinet.

PLG

P L GREGSON

[Red handwritten mark]

4 May 1984

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STRIKES AND JOBS

THE TRAGEDY OF THIS STRIKE IS DEMONSTRATED ONLY
TOO CLEARLY BY RAVENS CRAIG. ^{WORKERS IN THE STEEL} ~~THE WORKFORCE THERE ARE~~
~~INDUSTRY KNOW FROM EXPERIENCE THAT~~
~~DESPERATELY WORRIED ABOUT JOBS BEING PUT AT RISK BY~~
~~STRIKE ACTION.~~ STRIKES DESTROY JOBS. AND EVERY TIME
HON. MEMBERS OPPOSITE BACK THE STRIKERS, THEY HELP
DESTROY GOOD JOBS. THE RHG OPPOSITE AND HIS HON.
FRIENDS MAY TAKE PRIDE IN BEING THE STRIKERS' FRIENDS.
BUT THEY ARE THE ENEMIES OF ALL THOSE PEOPLE WHO WANT
TO KEEP THEIR JOBS AND WANT TO WORK.

SS

3.5.84

IMPACT OF MINERS' INDUSTRIAL ACTION

The miners' industrial action has so far had two stages: an overtime ban starting on October 31 and a strike starting on March 12. The overtime ban probably had reduced the level of industrial production by about 1 per cent by February. It is too early for the effects of the strike itself to be visible in published figures: estimates for industrial production in March will not be published until 17 May.

2. Output in March and subsequent months will be affected in two ways:

- (i) The direct effect of the action on output in the coal and coke industry. If the entire industry were to close down, it would reduce the level of industrial production by about 4 per cent, worth about 1¹/₃ per cent on GDP. To the extent that many mines are still working in the public sector and there is some private sector output, the current impact is probably rather less than this (perhaps 2¹/₂ per cent on industrial production in April - NOT FOR USE).
- (ii) The indirect effect on other industries. The most likely immediate impact is on the steel industry. However, steel output in March was in total quite good. There is no information as yet on April.

3. Estimates for GDP in the first quarter of 1984 will not be published until 21 May. On the basis of current assessments of the effects of the overtime ban on coal production in January and February and the figure above for the impact of the ban and strike in March, we would expect the level of GDP to be 1¹/₄ - 1¹/₂ per cent (NOT FOR USE) lower than otherwise.

IAN M^CGREGOR - INTERVIEW ON EFFECTS OF COAL STRIKE

Transcript from: BBC Radio 4, Today, 3 May 1984

INTERVIEWER : (Peter Hobday) Well the coal strike goes on, it's 8 weeks old now. An export order could be lost, say the Board; Ravenscraig might have to close, say the steel men; the police are now flying in some of their men to help those miners in Nottingham who want to work get past the picket; the Government resolutely refuses to get involved. Obviously the question is how long can it all go on, can nothing be done? Well the Coal Board chairman, Mr Ian MacGregor, has been in the United States for the past few days so we haven't heard from him on the situation. Until now that is, he's on the line. the first question really is if you could just clear up the point a little earlier in the programme; we've heard from our correspondent in New York suggesting that maybe that export order to the Inland Steel Company was not as big as had been suggested, it wasn't for 175,000 tons, they say only for 45,000 tons?

MACGREGOR: Well I think there's been some confusion about the situation. Inland Steel will require this year a fair amount of coke. Their production is going along quite well and they do have some problems in supplying themselves with an adequate quantity of coke. There are coke oven problems in their installation as well as in others in the United States. Their number of course gives them the option to get from us up to 175,000 tons during the shipping season on the Great Lakes and it would normally start with some cargoes early in the summer.

INTERVIEWER : So it is only a firm order then for 45,000 tons and the others are actually options if you can deliver?

MACGREGOR: All these orders are subject to us being able to deliver, obviously.

INTERVIEWER : The second question is really looking at the position of Ravenscraig; you of course as a former chairman of British Steel, how seriously do you feel the situation as far as Ravenscraig is concerned if the coal can't get through?

MACGREGOR: Well I think Mr Tommy Brennan and his friends are probably correct

that if they don't keep the plant going there are other sources where the steel will be produced. There's no shortage of steel at the moment.

INTERVIEWER : But are you saying that effectively the plant would have to close down and would not be opened again if they don't get enough coal to keep it going?

MACGREGOR: Well I don't know that would be the implication. I know this that their future has always been one that was problematic because of the decline the demand for the products that they make, especially in Scotland.

INTERVIEWER : I put those questions to you about the export order, and of course, if you like, one of your customers, British Steel, to find out now how much damage this 8 week old strike is actually doing to the coal Board itself; losing customers in steel, losing export orders?

MACGREGOR: Well obviously the longer the strike goes on the more and more customers we alienate and the more opportunity they have to look to all kinds of sources. That is one of the serious results of a long work stoppage.

INTERVIEWER : But Mr Scargill is talking about about tightening the noose, he says it is beginning to bite. What I wanted to hear from you Mr Macgregor is exactly how much is it biting?

MACGREGOR: Well the noose that Mr Scargill is talking about is around the neck of his members. And I trust that he won't pull it tight because if you throttle off the potential for selling coke and coal in the United States, if you reduce British Steel's potential to compete in the very competitive European market, then obviously the members of the Coal Board staff will be threatened.

INTERVIEWER But say suddenly the strike ended, and everybody was back at work by the end of this week, how many pits have already been irretrievably damaged by this strike, how many jobs have been lost by it, how much damage in that sense has been done so far?

MACGREGOR: Well we've lost at least one pit and there are others that are worrying my colleagues very much because of the fact that some of our mining is quite deep, the pole measures are under a fair amount of pressure and maintaining access to the coal is a problem.

INTERVIEWER : Which is the pit that's been lost Mr Macgregor?

MACGREGOR: Parkside. (... could have said Bogside)

INTERVIEWER : How many jobs are there?

MACGREGOR: I can't think of the exact number, I don't have it in mind. But it's several hundred people.

INTERVIEWER : Because it seems to me that possibly now Mr Scargill is winning, if that's the word to use in a situation like this, you are beginning to have problems. Surely now you must put out feelers to talk to him?

MACGREGOR: I'm rather amused that you say Mr Scargill is winning. Mr Scargill is destroying the business that his members work in. I don't know whether that's a victory.

INTERVIEWER : But shouldn't you now talk to him?

MACGREGOR: I've always been available to talk to him. The problem is finding someone to negotiate with in the NUM.

INTERVIEWER : But you would be prepared to talk to him?

MACGREGOR: The door has always been open, he knows where I am and he hasn't attended any of the consultative committees since 6 March. I'm rather surprised that he makes all of these claims and that no one is negotiating with him. He knows exactly where to come.

I do not think that my hon. Friend the Parliamentary Under-Secretary has made an especially convincing case for rejecting the amendment. Although I do not propose to press it to a Division at 4.49 in the morning, I ask him sincerely to consider the matter most carefully before the Bill returns to the House on Report.

Mr. Tony Banks: I am intrigued by the amendment and I thought that the Minister might wish to accept it. I am able to suggest a situation in which he and his colleagues would be most delighted to be able to nominate individuals to the interim bodies which are outside the borough and district councils. It is not only GLC members who might resist the idea of having their term of office extended, for there is a strong possibility that borough and district councils will refuse to nominate, or will find it extremely difficult to find people who are willing to serve.

I know that some rather Machiavellian figure in the Department of the Environment has already worked this one out. There is a provision in the Bill that allows the Secretary of State to vary the quorum of a council. If that had not been included, it would have been open to Labour Members to decline to become involved and therefore ensure that the interim bodies did not function. If Conservative councillors also declined to serve, what would happen? Has the Minister thought that one through? If that were to happen there would be no interim bodies. If the Minister were to accept the amendment, the Government could get round the difficulty by having appointees who were not borough councillors or district councillors. Perhaps the Minister will tell us whether he has thought this through.

Mr. Simon Hughes: I am sad that the Minister has not responded more positively to the amendment moved by the hon. Member for Uxbridge (Mr. Shersby). I think that there are seven members of the GLC who are presently also members of borough authorities. Therefore, there are only those councillors who will be able to continue with their responsibilities, if their boroughs nominate them, after 1985. It is vital that we do not play an administrative game to ensure that people are nominated from boroughs as a trail-in prior to ensuring that the boroughs continue to have nomination rights after 1986, when they may not nominate the same individuals. Indeed, the same people may not be re-elected to be nominated. We should try seriously to ensure continuity of the best form of competent governors for the seven councils with which we are concerned.

I ask the Minister seriously to consult his colleagues and to consider within the Department whether it is possible at least to accept the amendment of the hon. Member for Uxbridge, even if it is not possible to accept the widest amendment. The hon. Gentleman's amendment would allow competent individuals with experience to continue to do their job if the authorities in whose areas they now work wished them to continue to do so. It is logical and sensible and it would produce a slightly more experienced and better governing set of councillors. As there is no immediate response from the Minister, I shall not detain the Committee further by pressing the amendment to a Division.

Amendment negatived.

To report Progress and ask leave to sit again—[*Mr. Patrick Jenkin.*]

Committee report Progress; to sit again this day.

Coal Mining Dispute

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Boscawen.*]

4.55 am

Mr. Kevin Barron (Rother Valley): The coal mining dispute is of great national importance. At the root of the problem in the coalfield is the fact that the Government and the National Coal Board have reneged on the "Plan for Coal" which was drawn up in the mid-1970s by the Labour Government and the trade unions.

On 22 November 1983, the Parliamentary Under-Secretary of State for Energy made a statement on the Government's objectives for the coal mining industry. The hon. Gentleman read out to the Standing Committee on the Coal Industry Bill an objective, which I believe is one of the main factors behind the coal dispute. He said:

"the National Coal Board should aim to maximise its long-term profitability by securing those sales which are profitable on a continuing basis, its competition with other fuels. It should plan its marketing, production and capital investment accordingly and bring productive capacity into line with its continuing share of the market."—[*Official Report, Standing Committee H, 22 November 1983; c. 38.*]

That objective seriously undermines the "Plan for Coal" which was agreed by all involved in the industry. For the first time, the coal industry felt it could achieve certain targets in the 1980s and beyond which it had not reached under private enterprise before 1947 or in the nationalised framework since 1947. The industry were given a guarantee for the future.

Hon. Members on both sides of the House might say, "That is fine. We can find the markets for the coal." I am not convinced that the industry needs to suffer the 4 million tonne loss anticipated by the NCB. It is remarkable to note, on listening to debates on the common agricultural policy or other European matters, that we cannot find a market for those 4 million tonnes in the EEC, which imports more than 25 per cent. of the coal it uses. I am sure that there are parts of this country where 4 million tonnes of coal could be used.

In 1980, when the present Chancellor of the Exchequer was in charge, the Department of Energy asked Coopers and Lybrand to study the electricity supply industry and how it should be operated. It produced a report which has only recently been brought to the attention of a Select Committee that was studying proposed increases in gas and electricity prices. Those increases have been imposed on consumers. It was recommended that the electricity supply industry should reduce the price of electricity. I shall not go into the details of the percentage that was discussed. If Coopers and Lybrand's recommended electricity price reductions had been accepted by the Government, we might have been able to use the 4 million tonnes of coal that appears to be behind the present dispute, and people might have been warmer during the winter.

The ripping up of the "Plan for Coal" by the Government in the past 12 months has had a great effect. There is no doubt that the appointment of Ian MacGregor last autumn was a deft ploy by the Government designed to run down the coal industry faster than it had been run down in the previous three years. If one heeded the comments in the media, one would not believe that in the past three financial years we had lost 42,000 jobs in coal mining. That is a remarkable figure. If one listened to the

[Mr. Kevin Barron]

commentators, one would not think that one job had been lost recently. The Government's ploy to run down coal mining faster than ever, and the introduction of Mr. MacGregor to carry that out, has not been mentioned by commentators.

I draw the attention of the Parliamentary Under-Secretary to the debate on the Supplementary Estimates that we had on 8 March 1984 when I commented on the position in the coal industry and what other people had said, and said that Mr. MacGregor, the chairman of the National Coal Board, is often called the mad axeman of coal mining. In view of the loss of 42,000 jobs, that comment is not far wrong.

The Government were warned last August by the then chairman of the NCB, Sir Norman Siddall, that the introduction of Mr. MacGregor and the speeding up of mine closures would lead to the present dispute. It is reported in *Hansard* that I told the House that Sir Norman Siddall had said that it would be foolish for the Government and Mr. MacGregor to treat the coal industry as they had treated the British Steel Corporation. He said that they were two different industries. That has happened in the past six months in the coal industry and has been the major factor which has led to the present dispute.

The dispute has meant that the vast majority of coal miners have been on strike for over two months. That is something that the House does not seem to have fully recognised. This is of national importance, and I look forward to a full day's debate in the House on the dispute, which is of great importance, given the great majority of miners who are on strike.

What is unique about this dispute is that nobody has said how greedy the miners are in terms of wages, incentives, bonus payments and so on, as has been said many times before about the miners when they have taken industrial action. It is important that I stress that the vast majority of the miners who have been on strike for over two months have not been on strike because of any political bias or because they have anything to gain as individuals, certainly in the immediate future. They are on strike because they fear for the future of the mining industry, themselves and the mining communities.

I ask the Minister to take this to heart. The miners do not want something only for themselves. We recognise that pits must close at some stage, such as when seams are exhausted. The dispute started because the National Coal Board announced the closure of Cortonwood colliery, which is not far from my constituency. The miners there were told by the NCB that the jobs would not go and there were jobs for the 850 men in other south Yorkshire coalfields. The premature closure of the colliery takes away job opportunities for many of my constituents and of my hon. Friend the Member for Barnsley, East (Mr. Patchett), who is in the Chamber. It is nonsense for the NCB or the Government to claim that there will not be job losses because of this closure, because every closure goes further than the immediate jobs in the pit. It will take away job opportunities for hundreds of people in the area.

I am an ex-coal miner, and I was a craftsman. In four years, one can learn a trade in the industry. If the colliery did not close until it was exhausted, as was promised only last year, young people in our area, which has massive youth unemployment, could be sent to the colliery, work there for four years and learn a trade and would have some

opportunity of a job in another place. The high unemployment levels near the coalfield reflect what has happened there recently. It is of great importance that such issues should be discussed in the House.

The future of whole communities are to be decided by the book-keeping methods of the NCB, and that is what the dispute is about. We are talking about book-keeping rather than looking after mining communities. The Government know that the cost to the taxpayers of keeping the collieries open is less than the cost of closing the collieries.

The Parliamentary Under-Secretary of State for Energy replied to my question on 1 December 1983, in the Standing Committee considering the Coal Industry Bill, that 40,000 jobs was about the number that would be lost from the British coal mining industry and that the 70,000 to 100,000 jobs talked of by the NUM in terms of the costs to coal, were rather high.

The NUM was talking of 70,000 to 100,000 job losses in 1980-81, figures given at that time by the National Coal Board and based on closures of what it then called uneconomic pits. Forty-two thousand jobs have been lost in the past three financial years in the British coal mining industry, and there is nothing schizophrenic about talk of the loss of 70,000 or 100,000 jobs in a 10-year programme, on which the NUM's figures for pit closures were based. We know that the 42,000 job losses, plus the 20,000 proposed this financial year in the British coal mining industry have already grown to more than 60,000 losses. I am sure that the hon. Gentleman remembers saying in committee that 40,000 job losses would be the order of the day.

I put it to the hon. Gentleman that the NUM has not been far wrong in terms of the planned reduction in manpower in the coal industry and that the NUM is not wrong about the cost to public funds. It will be more expensive to carry on the reduction in manpower than to stop it now.

Many of my hon. and right hon. Friends have asked the Government to intervene in the dispute. I do not wish to do so, as I believe that the Government are already intervening, and have been doing so for a long time. If I asked the Government to do anything, I would ask them to intervene in a positive manner, and not in the very negative and nasty way that they have done for the past two months. I believe that the Government will go to any lengths in the dispute, no matter what the cost to public funds in any area, to try to defeat the NUM.

I am convinced that that has been the case in the past two months. I do not know whether the Government will force the CEGB, which is a public company over which the hon. Gentleman had much control, as I know from the Committee, to use all of its five major oil-fired power stations to generate electricity, which it is in a position to do, at great cost to the British public. I have no doubt that electricity prices will increase at some stage as a result. It costs about 50 per cent. more to generate electricity using oil than coke.

I also believe that the use of police in the dispute on an unprecedented scale in the Midlands coal field to stop what I regard as the traditional right of trade unionists to picket peacefully and to get the support of other members has had a tremendous effect on the country. The Government or the police authorities have been obliged to spend millions of pounds in this connection. Conservative Members say that that is to uphold the right of people to go to work.

However, 3.1 million people are officially unemployed, and it is incredible — insulting in many ways — to consider how little is spent in attempting to give them the right to go to work. We listen to the Government's words when so many millions of pounds have been spent by the police authorities in an attempt to stop the traditional right of mineworkers to picket lawfully.

The treatment of miners' families over the payment of supplementary benefit is also incredible. There is an immediate right to take away £15 which has not necessarily been paid to miners by the trade union. The same is true in other areas such as heating allowance. The families of miners are being treated worse than if they were criminals, held in prison for any crime. That is utterly disgraceful. The dispute has gone on in Britain for over two months now and that is another issue that ought to be debated. Yesterday my hon. Friend the Member for Dunfermline, East (Mr. Brown) requested a debate under Standing Order No. 10. Now that the dispute has continued for so long it ought to be debated in the House.

Miners' families are being discriminated against. Why? Because miners are trade unionists and are prepared to stand up and fight for their jobs and for the jobs of their sons and daughters in the future. That is an important fact when one considers that all but one coalfield have unemployment far greater than the national average.

It is important that the Parliamentary Under-Secretary of State for Energy should attempt to answer some of the points that I have put to him. I feel terribly aggrieved that the Government can say that they will not get involved when obviously they are. They say that they will keep their head in the sand, but they do not. The Government are prepared to use public money. How much does not matter as long as it can be seen to feed the lust of the Prime Minister's political ego. The matter has come down to that. That is what it is about.

I am convinced that in the end justice will prevail in Britain and that the miners will win the fight to keep jobs in the British coal mining industry, no matter what is said by the Government. That is most important of all. The Minister should answer the central point, that the Government have recently ripped up "Plan for Coal" and have provoked this dispute when it should have been unnecessary. I shall give the Minister a few minutes to do that. The dispute has been caused by the Government. Ian MacGregor was set on to carry on the work that he did in British Steel. As a consequence, the problems of Britain as a result of the present mining dispute can be laid directly at the Government's doorstep. That is something that the Government must answer for at some time.

5.17 am

The Parliamentary Under-Secretary of State for Energy (Mr. Giles Shaw): It is traditional to congratulate an hon. Member on raising a subject on the Adjournment of the House. The hon. Member for Rother Valley (Mr. Barron), with his long experience of the coal industry, has been able to deploy his considerable skills in relation to the present dispute.

However, I must make the observation that, while I can understand that the hon. Gentleman should seek a debate on the issues of the coal industry, I am astonished that he has not found the leader of the Labour party prepared to introduce the subject as a matter for debate. Presumably that will be done in due course.

The hon. Gentleman quoted from the objectives given to Mr. MacGregor at the time the Coal Industry Bill was in Committee. I must remind him that the aim of bringing capacity into line with the market place has been fundamental to the objectives given to chairmen of the National Coal Board for a considerable time. I could argue that "Plan for Coal" was an attempt to do just that—to provide an objective for the market for coal.

The hon. Gentleman then dealt with the question of Cortonwood, which I know is also of interest to the hon. Member for Barnsley, East (Mr. Patchett). I understand entirely why the problem has been raised by successive hon. Members. However, the hon. Member for Rother Valley will be aware that the area director has written to all those who are involved at Cortonwood. His letter dated 28 March makes one or two fairly important observations which the House has not had the opportunity of hearing. The first thing he stressed was that

"every man who wants a job will have the opportunity of transferring to another local pit. What I said at the Area Review Meeting, attended by all Trade Unions' Representatives, was that I intended to offer men over the age of 50 the opportunity of voluntary redundancy and the younger men the chance to transfer elsewhere"—

with the usual transfer allowances—

"but nobody will have to leave the industry against his will."

He went on to say:

"At the Area Review Meeting I proposed that we should meet again quickly with the local representatives of each Union present. Two of the Unions have agreed to such a meeting, but the NUM have not. After the meeting with the local Branches, it is still open to any of the Unions to appeal against my decision to bring forward the closure. I also gave an undertaking, which still stands, that until the Review Procedure had been fully exhausted and the outcome known, I would take no steps to implement the closure. No developments will be stopped or production districts salvaged."

The hon. Gentleman should understand that, on the record at any rate, those comments were made in a letter of 28 March to all gentlemen at Cortonwood.

The hon. Gentleman's main point is about the thrust of "Plan for Coal", and he criticised the Government for their part in, as he put it, undermining "Plan for Coal." But I see no basic contradiction between "Plan for Coal" and the policies being pursued by the Government. In 1984, even more than in 1974, we must seek to establish an efficient, competitive coal industry with a secure long-term future. However, while the underlying objectives remain the same, the world has changed.

In 1974 we had come abruptly to the end of the era of cheap oil. Energy demand was seen to be rising and the demand for coal was thought to be rising with it. In fact the demand for coal was already falling when "Plan for Coal" was published, and continued to do so in the ensuing years. Nor have other assumptions been realised. "Plan for Coal" envisaged an improvement in productivity of 4 per cent. per year, but by the end of 1983 output per manshift was only 4.7 per cent. higher than it had been 10 years earlier. Closures, too, had been expected to run at a higher rate than has been the case. "Plan for Coal" foresaw 3 to 4 million tonnes of capacity closing each year as against 1 to 2 million tonnes which have closed.

The one area—here the hon. Gentleman will agree with me—in which we have exceeded "Plan for Coal" is in investment. A massive investment programme was a cornerstone of "Plan for Coal" and that has been more than achieved by successive Governments who have spent, in current prices, more than £7,500 million since 1974. Total investment in the coal industry in the five years since the

[Mr. Giles Shaw]

Government took office in 1979 has been £3.8 billion. This is £4.4 billion at September 1983 prices, compared with £2.8 billion on the same price basis in the preceding five years of Labour Government.

The hon. Gentleman must recognise that those are vital contributions to the future of the industry. The hon. Gentleman suggested that the Government should intervene in this dispute, but I suggest to him that previous Government intervention has been to provide immense amounts of resources to enable the industry to develop. The Government want to see an effective, viable and productive coal industry which will offer substantial employment and be able to satisfy customers the world over. That is why we backed the National Coal Board in its wage offer of 5.2 per cent., to ensure that the miners continue to be among the highest-paid industrial workers. That is why we shall continue to provide up to a further £3 billion for investment during the next four years. Currently investment is running at £70 per employee per week in the industry. That is why we backed the Coal Board with deficit grants in 1983-84 of a further £70 a head a week for everyone who works in the industry.

I remind the hon. Gentleman that the industry's losses before grant last year were equivalent to £70 per employee per week. In return surely we have the right to ask that the industry puts its house in order, recognises the facts of economic life and shapes itself to meet the challenge of future circumstances.

The crucial change the the hon. Gentleman wants to see—I accept his point entirely—is more customers for British coal. That is the only way to secure a future for British mining, yet the chances are that there will be fewer customers. We tried to extend the market to industrial users, but there have been only two applications under the coal conversion scheme since the dispute started. There has been a postponement of probably the biggest coal conversion scheme at ICI. We need more customers, not fewer, and change will bring opportunities for new markets, but only if the price is competitive and if delivery is assured. I must tell the hon. Gentleman that with the prospect of orders not being delivered, or of customers not being able to obtain coal at the price they want, the chances for the future of the industry are bleak. There is plenty of evidence that, despite the efforts made to obtain export orders for British coal, there will be real problems in retaining the confidence of the customers that we so sorely need.

The current dispute is deeply damaging to miners and to the industry. What is required is more commitment to price coal at a level at which customers want to buy. That will assure a delivery increase—

The Question having been proposed after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER adjourned the House without Question put, pursuant to the Standing Order.

Adjourned at twenty-four minutes past Five o'clock.

Covering SECRET



~~Prime Minister~~ (2)

ice DP

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~~To note. These issues will need to be discussed at a meeting with Mr Walker~~

AT

2/5

Treasury Chambers, Parliament Street, SW1P 3AG

01-233 3000

Withdrawn by Treasury

but can file AT 4/5

2 May 1984

Andrew Turnbull Esq
No 10 Downing Street
LONDON SW1

Dear Andrew,

COAL STRIKE COSTS

I enclose a note on the costs of the current coal strike which I understand the Chancellor promised the Prime Minister at his meeting earlier this week.

Yours sincerely,

Margaret O'Mara

Miss M O'Mara
Private Secretary

Covering SECRET

S E C R E T

COAL STRIKE COSTS

1. This note provides some broad figures on the costs of the current coal strike.

A. Cost of oil burn to the CGBR

2. The CEGB is now burning extra oil rather than using coal to generate electricity.

3. In April as a whole the extra cost of oil to the CEGB was £50 million. This was the period during which the CEGB was moving to full oil burn. We are now at full oil burn and the extra cost of oil is now £50 million a week.

4. Against this gross cost can be set the CEGB's savings of £30 million a week from using less coal. On this basis the net extra cost to the CEGB of full oil burn is £20 million a week.

B. Public expenditure and PSBR

5. In public expenditure terms the CEGB's saving on coal is cancelled out by the related loss of NCB revenue. So the relevant costs are the £50 million a week cost of extra oil that the CEGB will have to bear if this is not recovered from consumers through a temporary increase in prices; and the immediate impact of the strike on the NCB, which is to save miners pay of £40 million a week. These together give a net cost of £10 million a week. As from the beginning of May, there will be a further loss to the NCB of up to £10 million a week in sales to the private sector.

6. Elsewhere in the public sector additional costs are arising of the following order:

Policing	£2-3 million a week
Social security payments to miners	£1½ million a week
British Rail loss of revenue	£3 million a week

It is likely that British Steel are also losing revenue but they are unwilling to put a figure on this.

S E C R E T

S E C R E T

-2-

7. In PSBR terms, this extra public expenditure will not add to the forecast PSBR if it can be contained within the public expenditure contingency reserve. On the other side, there is some loss of tax revenue resulting mainly from the lower income of miners and this will have an adverse impact on the PSBR.

C. Prices

8. It would require an electricity price increase of the order of 10 per cent to recover the costs to the CEGB of the extra oil burn (after taking account of the savings on coal) over the same length of period as that over which the extra oil was burnt. Clearly recovering the cost over a longer period would reduce the size of this temporary surcharge.

9. A temporary surcharge of 10 per cent would add about 0.3 percentage points to the RPI on the same temporary basis. On industrial costs, it would involve a temporary increase of $\frac{1}{2}$ per cent for industry on average, although a somewhat higher figure for the heavy users of electricity.

S E C R E T



ms

10 DOWNING STREET

Prime Minister

David Pascali has been over
the endurance figures with
Dept of Energy - see Flag B.
His report confirms that
without any deliveries endurance
could last until early October;
with the current deliveries until
December. He also sets out
the impact of various contingencies
(though it is not necessary to go
into these at Cabinet).

I am arranging a meeting
with a smaller group, as
requested by Mr Walker, to
discuss replenishment of stocks
after the strike. I expect the
Chancellor will want to
raise the costs of oil burn
at that meeting.

AT

2/5

Ref. A084/1313

PRIME MINISTER

Cabinet: Industrial Affairs: Coal

You will wish to ask for reports from:

- FLAGA
- i. the Secretary of State for Energy:
 - on the number of pits and miners working;
 - on power station endurance;
(as requested by you at last Monday's meeting of MISC 101)
 - on the NCB's position about talks with the NUM;
 - ii. from the Home Secretary:
 - on law and order;
 - iii. from the Secretary of State for Transport:
 - on coal movements;
 - iv. from the Secretary of State for Trade and Industry:
 - on the effects of the strike on coal burning industry.

Pits and miners working

2. Apart from the dislocation caused by holidays, maintenance and yesterday's rally in Nottinghamshire, the number of pits in full production appears to have stabilised at around 46 with another eight or so partially in operation. The number of pits totally strike bound appears to have remained constant at 121. The Secretary of State for Energy might be asked whether he sees any prospect of a crumbling of support for the strike at any of those pits in the near future.

Power station endurance

3. The Secretary of State for Energy will report to Cabinet the latest on endurance. Assuming continuation of maximum oilburn, but no further coal movements from now on, power station coal stocks are expected to last until early October. Assuming continued deliveries to power stations at current average levels of about 300,000 tonnes a week, power station coal stocks would probably last until well into December.

Talks with NUM

4. It would be useful for the Secretary of State for Energy to give the Cabinet generally a clearer understanding of the NCB's position on talks with the NUM. In the light of what he said at the last meeting of MISC 101 this is presumably that (despite press speculation) the NCB's position has not changed, that the NCB stands ready to continue the discussions on the closure programme following on the meeting which took place on 6 March (from which the NUM walked out to call a strike) and that closure proposals affecting particular pits can be discussed at area level under the existing procedures.

Law and order

5. Efforts to stop miners working by mass picketing are bound to be intensified, particularly in Nottinghamshire. The Home Secretary will no doubt wish to assure the Cabinet that the police have made adequate preparations.

Coal movements

6. After the good experience in the latter part of last week (58 trains on Thursday and 56 on Friday) there has been some reduction in the early part of this week. British Rail attribute this to the accident of which particular railwaymen happened to be rostered for duty. Coal deliveries appear to have settled down on average at close on 500,000 tonnes a week (both to power stations and industrial users and by both rail and road); this is not far short of the amount of coal still being produced.

Effects in industry

7. Mr Scargill has threatened to "tighten the knot" on industrial users. The major evidence of this at present is the continuing argument about whether Ravenscraig should receive one or two train loads a day. The Secretary of State for Trade and Industry should be asked about the latest prospects for the British Steel Corporation, and whether he has any evidence of "dispensations" (eg for coke-burning foundries) being withdrawn. The Secretary of State for Energy might also be asked whether the NUM is likely to agree to allow stores of coke to be withdrawn to fulfil the American order just announced.

SECRET



Further meetings

8. A meeting of MISC 101 is planned for next Tuesday, 8 May, at 11.45 am.

RA

ROBERT ARMSTRONG

2 May 1984

CONQUEROR

B

✓cc - P. Grayson

19

SECRET

MR TURNBULL

1 May 1984

COAL

Power Station Endurance

1. Coal stocks at power stations on 29 April stood at 18.0 mt. Stocks have fallen by 0.8 mt over the past 2 weeks. The impression of a faster fall given by recent Department of Energy figures was based on estimates of the situation over the Easter holiday. Scottish power stations have a further 2 mt of coal.

2. CEGB oil burn is now at a maximum, saving about 0.5-0.6 mt of coal per week.

3. NCB deliveries in the week ending 29 April were about 0.35 mt of which 0.2 mt went to the power stations and 0.15 mt to other customers. This lower than normal figure was caused by the Easter holiday. The current underlying trend of coal deliveries to the power stations is about 0.3 mt per week.

4. If coal deliveries stopped today, this level of stocks would enable the power stations to operate until the second week of October ie about 22-23 weeks endurance.

5. If 0.3 mt of coal per week continued to be delivered to the power stations, endurance is possible until mid-December.

6. If 0.5 mt of coal per week could be delivered to the power stations, stocks would last until February 1985.

7. Allowing for 100% oil burn, the expected average weekly coal burn is

May	0.9 - 1.0 mt
June/July	0.7 - 0.8 mt
August	0.6 - 0.7 mt
September	0.7 - 0.8 mt
October	0.9 - 1.0 mt

8. The CEGB and the Scottish Boards are optimising on the basis of endurance. At present the equivalent of 0.07 mt of coal per week is being exported from Scotland to England.

9. Continued coal deliveries are a bonus compared with original expectations of endurance in the event of a total strike. Nevertheless, we are losing endurance as long as the amount of coal moved to the power stations is less than the weekly consumption. The longer the period before a total strike, the shorter the period that we shall then be

LARAAY

SECRET

able to endure. For example, we estimate that 2 months of deliveries at 0.3 mt per week would provide about 2½ weeks of additional endurance in the Autumn period. In other words if an all-out strike were delayed until June, endurance would then last until the end of October ie about 17 weeks' endurance from the start of a total strike.

10. We have made our own assessment of the sensitivity of the endurance figures for various possible eventualities. These figures are shown as examples and do not indicate any probability that the situations will in fact occur.

- If oil burn averaged only 80% of maximum we would lose 3 to 4 weeks of endurance. The CEGB have managed to procure oil supplies with surprisingly little difficulty and the main threat on this front would come from industrial action. Most of the oil is transported by sea and the chances of disruption are small. Nevertheless we are potentially vulnerable in this area. It is to be expected that Arthur Scargill will concentrate his campaign for sympathetic union action on oil deliveries particularly as the CEGB are clearly in an abnormal operating situation with regard to oil burn.
- Until the recent warm weather consumer demand was averaging 4% above forecast during the early weeks of the disruption. Part of this was due to earlier cold weather and part to higher economic growth. In addition some consumers are burning more electricity in order to conserve coal stocks. If demand averaged 5% above forecast throughout a total strike we would lose perhaps 4-5 weeks of endurance. It is more likely that the increase in economic activity will be perhaps half the 5% figure. The resulting 2-3 weeks lost endurance could be compensated by a hot Summer.
- If all carbon dioxide supplies to nuclear power stations ceased from mid-June, we would lose about 4 weeks of total endurance. Loss of supplies is possible if severe picketing prevents deliveries. This figure is somewhat higher than anticipated because of the greater contribution which nuclear makes to the generating mix in Summer.
- The assessments of endurance do not include any capacity from the three AGR stations currently commissioning - Hartlepool, Heysham I and Dungeness B. The CEGB have every incentive to produce output from these stations. For example, if it is possible to get the equivalent of one reactor on full load we would gain an extra 2-3 weeks. Each station has two reactors. Nevertheless, given the past performance

of these AGRs we should not count on any contribution from this source.

- If sympathetic industrial action by the T&GWU within the power station perimeters prevented 5 mt of coal stocks being used, we would lose 4-5 weeks endurance.
- The assessments of endurance assume that perhaps 1 mt of coal may not be useable because of deterioration. The CEGB claim that they are confident that this figure is 1 mt maximum and that in practice these stocks may turn out to be useable.

11. There are of course about 22 mt of coal stocks at the pit heads and open cast mines. In addition most open cast mines are continuing to work - weekly production about 0.3 mt per week - although very little coal is moving to the power stations.

Conclusions

1. We should monitor power station endurance closely in order to identify any unexpected occurrences which might reduce our current perceptions of endurance.
2. We should also attempt to identify industrial pressure points via the CBI. Some early warning could enable us to help special cases and reduce the prospects of losing industrial and public sympathy.
3. In the event of a protracted dispute, we shall need to consider other options for increasing endurance. To a very limited extent, there is some scope for reducing electricity demand by banning display lighting and reducing voltage before rationing or rota cuts are contemplated. Other major options include transporting coal from the pits and open cast mines to the power stations and increasing imports.

DLP.

DAVID PASCALL

1. ✓ to vote para 2
2. CF to file

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MR TURNBULL

1 May 1984

COAL

Endurance

1. We enclose a separate note on power station endurance.
2. We have arranged to receive from the Department of Energy on an informal basis, an assessment of the profile for coal stocks on various assumptions during the Summer and Autumn.

Coal Statistics

1. The operating costs on a pit by pit basis included in Volume 2 of the MMC Report on the NCB are on a 1981/82 basis. We have arranged to receive from the Department of Energy on an informal basis an updated list on a 1982/83 basis with an indication of which further pits have been shut in the meantime. The Department are pressing the NCB for 1983/84 figures.
2. The statements in the briefing for Questions that the worst 12% of output loses £275m per annum and the worst 20 pits cost £89 per tonne are based on 1982/83 figures. They may not be totally reliable for the current situation. We have asked the Department whether it is possible to provide some recent information.
3. It should be noted that the NCB's closure plan does not 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 be concentrating on any one particular 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.

Conclusion

We should ensure that statistical information given out on economic and loss-making pits is based on up-to-date information.

DLP.

DAVID PASCALL

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Coal file

NOT FOR PUBLICATION OR REFERENCE
TO CONTENT BEFORE TIME OF DELIVERY

Extract from speech by the Rt Hon J Enoch Powell, MBE, MP,
to the Cambridge University Conservative Association at
1.15 p.m. Friday, 27th April, at the Union Society.

The Archbishop of York recently wrote an open letter to the Durham miners which contains some common but dangerous economic fallacies. If they are common, it may be asked, why trouble to quote them from an Archbishop's letter? The reason, I assure you, is not desire to 'get at' archbishops. No man I trust has more respect than I have for the sacred office of bishops, let alone archbishops; but that in itself only sharpens one's regret when they commit themselves to economic fallacies. The danger then arises that, quite illogically, it might be concluded, if their economics is so weak, that their theology is weak too; or alternatively that those whose critical faculty does not apprise them of economic fallacy may be overcredulous and less than reliable in things which matter a great deal more than economics.

So what did the Archbishop write? "I believe", wrote he, "we owe it to future generations not to close pits before they are properly worked out"; and by way of explanation he added: "There is to my mind clear reason for caution about pit closures, in that they entail the irreversible abandonment of an energy source for the future".

How could anybody, not to mention an archbishop, fail to see that the exact opposite is true? If coal is left in the ground, somebody can dig it up one day and use it. What is certain is that it can never be used in future if it is dug up and burnt now. Even if coal left in a partially worked mine which is abandoned were thenceforward inaccessible, it would still be no less available to the future than if it had been burnt. But of course coal not extracted through one set of workings or by one extractive method can perfectly well be extracted in future in a different way. His Grace may not be aware of the great and imaginative Barnsley scheme, which involves creating a new mine to extract coal from measures which other collieries are no longer able to raise economically.

The whole history of coal mining has been the progressive discovery that coal previously assumed to be inaccessible, either because of the depth or the thinness of the seams, could nevertheless be mined. The classic witness on this subject is W. S. Jevons, who, by the way, was a professor of economics and not an archbishop. In his book, On the Coal Question, published in 1865, he accepted it as axiomatic that long, long before now Britain's coal resources would have been exhausted; but he wrote to allay the fears of catastrophe by explaining that, as the remaining coal became gradually more and more inaccessible, its relative cost would rise and thus the price mechanism would mediate a relatively painless transition from an industrial to an agricultural economy.

Where the Professor was wrong was not in his conception of the working of the price mechanism but in his (as we now know) erroneous assumptions (a) that the ultimate size of the coal resources was already then known, and (b) that methods of extraction would not radically improve - leaving out of the count altogether another whole dimension, namely, the efficiency of utilization of coal, which has progressively improved but is as yet far from having reached its imaginable limits. What has happened is that side by side with coal other sources of energy which in 1865 neither Professor Jevons nor the archbishops could have conceived have been discovered and are being exploited. So far as I have heard there has been no Voice from Heaven to inform us that the universe now contains no more.

The consequence of all this is that there is not the slightest difficulty about Britain, so far ahead as we can see, producing all, and more than all, the coal that can be sold for above what it costs to mine. Why then does the Archbishop want us to keep on mining coal which does cost more to mine than it is worth? Surely mining coal is not, in his view, a human activity that carries its own justification and reward, like praying or singing psalms or writing poetry. I cannot believe that. Rather do I seek the explanation in that shy and

bashful adverb "properly" which His Grace introduced into the confession of faith he sent to the Durham miners: "Not to close pits until they are properly worked out".

His Grace apparently offered no explanation of how one knows when a pit is "properly" worked out. He cannot surely mean to insist that every last streak of coal, every remaining pillar of support which contains any coal, must be brought to the surface, at the cost of whatever exertion, before a pit is "properly worked out". No, he meant - and I fear that he knew that he meant - what any other rational person would mean, i.e. "no longer capable of yielding coal that can be disposed of for not ^{less} than it costs to mine". It is the dislike of admitting this definition, of conceding that the worth put on our products by our fellow men controls whether or not we go on producing, that so offends the ^{moral} sensibilities of the Archbishop and betrays him, as it betrays the Yorkshire miners, into real and flagrant immorality. The immorality is to attempt - by ecclesiastical authority on His Grace's part, by physical coercion on the miners' part - to compel our fellow men to waste their brains and labour so that we may continue undisturbed to waste our own. People rant against the inhumanity of price and the market, supply and demand. Inhuman of course those things are, in the sense that all abstract expressions of reality, like the laws of mechanics, are inhuman. But that inhumanity is not of the same kind as coercing our fellow beings to waste their lives in order that we may waste ours.

"Waste of life" strikes a chord somewhere. A babble of voices arises, enquiring if the miners, when a pit is closed, will not waste their lives if they are retired or unemployed. This is the issue which, if I dare say so, His Grace 'fucked' when he declared that, sooner than be retired or unemployed men ought to be kept at labour as futile as the treadmill which would be paid for by wasting the labour of others. That is the reality behind his rhetoric that "we owe it to the present generation not to destroy jobs until there is an overwhelm-

ing case" - is that the same as a "proper case"? - "for doing so".

To dignify futile labour as "not destroying jobs" is worse than intellectual failure. It is moral and - I must risk saying it -

religious bankruptcy. Millions who watch the havoc of the coal strike on their television screens shake their heads and condemn the miners. If the miners are at fault, how much more so are those whom society has placed in a position to teach, to enlighten and to lead.

SECRET

Reference No: E 055

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PRIME MINISTER

Coal: MISC 101(84)13th Meeting

This week has been relatively quiet. After the usual reports, and subject to any developments over the weekend, you will probably wish to concentrate on three aspects.

(i) The reports commissioned from the Secretary of State for Energy at the Group's previous meeting;

(ii) the reported agreement of the 'Triple Alliance' of coal, steel and railway unions to limit deliveries of coal to Ravenscraig;

(iii) the exchanges between the NCB and the NUM on possible discussions of the phasing of pit closures.

Reports commissioned at last meeting

2. At the Group's last meeting, on 25 April, the Secretary of State for Energy was asked to report on:

(a) whether there were any obstacles to moving coal to the power stations from stock and pits which remained open; and

(b) whether it was possible to increase supplies from open-cast workings.



SECRET

Ravenscraig.

3. It is reported that the trade unions concerned have agreed that coal deliveries to Ravenscraig should be limited. Further details are not available (and the steel union representatives refused to comment to the press after the meeting which took the decision); but it seems likely that the NUM want to limit deliveries to the minimum needed to avoid damage to the steel plants without allowing significant production.

4. You will wish to establish the facts, and in particular:

(i) whether similar action is likely at other steel plants;

(ii) what counter-action, if any, can be taken.

Discussions between NCB and NUM

5. As you know, there have been rather obscure exchanges between the NUM and the NCB on possible discussion of the phasing of the pit closure programme, what would be the forum for such discussions, and what the agenda should be. After establishing the latest position, it would be useful to discuss the following.

(i) What are the NCB's tactical objectives, both immediately and for the continuing conduct of the dispute, in proposing discussions? How do they intend to ensure that their willingness to talk is not taken as the first sign of weakness?

(ii) There is a suggestion in today's 'Guardian' and FT that the Government may be invited to join in tripartite talks with the NCB and NUM. Has this any foundation? No



SECRET

Next Meeting

6. We have not yet arranged another meeting of the Group: you are, of course, engaged in the Anglo-German Summit on Wednesday. There will be the occasion for a further report on the situation at Thursday's Cabinet meeting. If events should make an earlier meeting necessary, you will presumably wish to ask the Lord President or the Home Secretary to take the chair.

M.S.B.

M S BUCKLEY
Cabinet Office.
27 April 1984

'A Strike-breaker is a traitor'



Blacklegs in the Garw Valley of South Wales in 1929.

Jack London's definition of a Scab.

'After God had finished the rattlesnake, the toad and vampire, He had some awful substance left with which he made a scab.

'A scab is a two-legged animal with a cork-screw soul, a water-logged brain, a combination backbone of jelly and glue. Where others have a heart, he carries a tumour of rotten principles.

'When a scab comes down the street, men turn their backs, the angels weep in heaven, and the Devil shuts the gates of Hell to keep him out.

'No man has a right to scab so long as there is a pool of water to drown his carcass in, or a rope long enough to hang his body with. Judas Iscariot was a gentleman compared with a scab, for after betraying his Master he had character enough to hang himself. A scab has not.

'Esau sold his birthright for a mess of pottage. Judas Iscariot sold his Saviour for 30 pieces of silver. Benedict Arnold sold his country for the promise of a commission in the British Army. The modern strike-breaker sells his birthright, his country, his wife, his children and his fellow-men for an unfilled promise from his employer.

'Esau was a traitor to himself; Judas Iscariot was a traitor to his God; Benedict Arnold was a traitor to his country. A STRIKE-BREAKER IS A TRAITOR to his God, his country, his wife, his family and his class. A REAL MAN NEVER BECOMES A STRIKE-BREAKER'

The Miners' fight is your fight

THE MINERS are fighting for all of us. In South Wales 100,000 men, women and children depend directly or indirectly on the coal industry for their livelihoods.

Without its pits South Wales will be devastated. Engineering factories will close, road haulage firms collapse, railways will be torn up and docks filled in.

The markets for steel, gas and electricity will shrink. Unemployment will ravage the steel mills, gas depots and power stations.

We need Welsh coal

Without its industry, South Wales will be unable to pay for public services. Hospitals, clinics, schools, transport and housing will all deteriorate even more rapidly than they are at present.

The country needs **more** South Wales coal, not less. We produce anthracite, as well as prime coking and steam coals which are becoming increasingly expensive on the international market.

The British Steel Corporation, for example, imports over 1,000,000 tonnes of foreign coking coal a year into its Port Talbot plant, despite the fact that the steelworks is situated right next to Western Europe's largest untapped reserve of prime coking coal.

Investment, not closures

Similarly, the country is short of 1 million tonnes of anthracite a year. Yet the Coal Board is **closing** South Wales anthracite mines when it should be expanding them and opening new ones.

The South Wales coal industry needs investment, not closures. It needs jobs, not longer dole queues.

Our fight is your fight. By supporting the miners you will be ensuring that this country retains its own vital supplies of fuel. Without these supplies, we shall once again find ourselves at the mercy of multi-national oil companies and foreign governments.



10 DOWNING STREET

From the Private Secretary

Prime Minister

You queried the endurance figures, in particular how stocks of 18 mt could last until early October if they were being run down at 0.8 mt (with Notts coal) or 1.1 mt (without it).

Policy Unit have been over the figures with the Department and are satisfied that CEGB have done their sums correctly. First, CEGB argue that most of the stock is usable. Secondly, coal burn will decrease still further over the summer. Finally, we have only just got to maximum oil burn.

Nevertheless, for your reassurance, I think we should have the expected profile of coal burn set out, against which to measure progress. I will set this in hand.

AT

25/4

To keep the record straight HERE IS THE NATIONAL COAL BOARD'S SIDE OF THE STORY:

The biggest fact staring us in the face is that we have been producing more coal than we can sell. That is why there are record stocks.

The Coal Board is concerned for the future. The size of the market will determine the size of our industry.

At the beginning of last year we were producing 8m. tonnes a year more than we could sell. Since then we have taken out 4m. tonnes of output. This year we propose to do the same.

In twelve months time the industry's output and demand will be in balance. We shall then attack the market to increase sales. Our objective will be a minimum capacity of 100m. tonnes a year.

Last year the number of jobs was cut by 20,000 – without anyone who wanted to stay in the industry having to leave it.

And those who chose to go received the most generous compensation terms ever offered to industrial workers in this country.

Again in the coming year, no mine-

worker who wants to stay in the industry will be made compulsorily redundant.

And another fact we can't repeat too often – there is no new closure plan.

Despite what you might be told, the industry is not being run down. £700-800m. a year will continue to be invested in sinking new mines and modernising existing ones. This highly efficient new capacity will replace the hopelessly expensive tonnage we hope to take out. And that will make it possible to compete for markets.

Another bright note for the future is that the Board could substantially increase the recruitment of young men a year from now.

Finally, it is not true to say that the Coal Board have stopped discussions. National meetings have continued with the other unions but the National Union of Mineworkers stayed away. Full consultation will resume as soon as the NUM make themselves available.

THE NATIONAL COAL BOARD.
RE-SHAPING THE INDUSTRY FOR THE FUTURE.

NCB

in goods and services within the Community, as outlined in the Government publication, "Britain and the European Community—A Positive Approach"?

Mr. Rifkind: My hon. Friend is right to draw attention to the fact that the organisation usually referred to as the Common Market has achieved such a description in terms of its agricultural policy rather than its internal markets. The Government have given high priority to achieving a more genuine internal market, especially in insurance and service industries. Encouraging progress has been made in the Stuttgart negotiations and we have achieved broad agreement on the need for a liberalisation of trade and services, notably in transport and insurance.

Mr. Rogers: The Minister said that he was struggling through negotiations on internal budgetary discipline and a new formula. The Government have set out the grounds for an increase of own resources to 1.4 per cent. in 1986 leading to 1.8 per cent. in 1988. The deadline for the conclusion of negotiations for the entry of Spain and Portugal will be in August. As those policies are incumbent upon the increase in own resources, will the Minister say to what extent he has committed the country to such an increase to develop them?

Mr. Rifkind: I do not accept the preamble to the hon. Gentleman's question. The Government are not committed to an increase in own resources. Their attitude remains that previously outlined by the Prime Minister at the Dispatch Box.

Mr. Bowen Wells: On the question of the increase in own resources, will my hon. Friend agree that the British Government's negotiating stance is that own resources will be increased if our budgetary requests are acceded to? Would it not be helpful in those negotiations, and to the House, if the Minister spelt out the purposes for which the increases in own resources would be used?

Mr. Rifkind: We have said that we understand that certain arguments have been used to explain why an increase in own resources would be appropriate. They relate to the likely accession of Spain and Portugal to the

Community, to some appropriate new policies and to possible increases in the regional and social fund. I must emphasise that an increase in own resources can be considered only if satisfactory agreement is reached on the British budget contribution and if there is proper control of agriculture and Community expenditure.

Mr. MacLennan: What progress have the Government made in the liberalisation of air transport within the European Community? Can the Minister say what prospect he sees for bringing down the unacceptably high level of air fares within the Community?

Mr. Rifkind: My right hon. Friend the Secretary of State for Transport has said that the liberalisation of air transport is an important objective of Government policy. He will bring forward proposals later this week, to be discussed at subsequent meetings of Community Ministers.

Outstanding Problems (Resolution)

61. **Mr. Haselhurst** asked the Secretary of State for Foreign and Commonwealth Affairs if there are any new initiatives he will propose to resolve outstanding current problems between members of the European Community.

Mr. Rifkind: I refer my hon. Friend to the answer that I gave earlier to the hon. Member for Glasgow, Cathcart (Mr. Maxton).

Mr. Haselhurst: Is it not true that the gap on the budget problem has narrowed considerably? As we are negotiating with countries that are friends and allies, not enemies, might not a further move be required on our part to ensure that we find a speedy and satisfactory conclusion to the problem?

Mr. Rifkind: I assure my hon. Friend that Her Majesty's Government have shown considerable flexibility on this matter. We remain of the view that flexibility is required by all parties involved. If the United Kingdom is to be expected to move on this matter, it must be even easier for the other nine member states also to move to reach a satisfactory solution.

Coal Industry Dispute

3.31 pm

Mr. Stanley Orme (Salford, East) (*by private notice*) asked the Secretary of State for Energy if he will make a statement about the current coal mining dispute.

The Under-Secretary of State for Energy (Mr. Giles Shaw): There are pits working normally today in Nottinghamshire, Leicestershire, Warwickshire, Staffordshire, Lancashire, Derbyshire, Cumbria and north Wales. That means that over 35,000 men in over 40 collieries will again today demonstrate their readiness to continue working. Allowing for holidays and maintenance work, that is a level of activity fully consistent with that of last week and the previous week, when Parliament was still sitting. Picketing continues, but it has not deterred those intent on reporting for work.

Coal stocks at power stations are at a high level for the time of year, sufficient to enable the electricity industry to meet demand for many months. The National Coal Board and the coal trade are maintaining at least limited supplies to most other major customers.

The chairman of the NCB has made it clear that the board, for its part, is ready to continue discussion of the industry's long-term problems and how best to achieve the restructuring necessary to realise the high-volume low-cost industry which is the board's aim. It is a matter of regret to all those who want to see the industry resolve its present difficulties that the National Union of Mineworkers has not attended any of the recent meetings of the industry's consultative committees, including the joint meeting today of the Coal Industry National Consultative Council and the Coke Oven National Council.

I understand that the national delegate conference of the NUM decided last Thursday to amend its rules so that no more than a simple majority would be required to carry a motion in a national ballot concerning industrial action; but that the opportunity of consulting the union's membership through a ballot on the present dispute was again forgone.

Mr. Orme: The reply that the Minister has just given to the House is totally unsatisfactory. The real responsibility for the dispute lies with the Government. The dispute is about jobs, the survival of whole communities and the future of a vital industry, yet after seven weeks of a major coal strike the Government have taken no action to reach a solution.

I should like to ask the Minister the following questions. To what extent are the Government subsidising the NCB to hold out against the strike? How much taxpayers' money is being used to fund the fight against the miners, money that would be better spent keeping pits open and jobs intact? What is the extra cost to the Central Electricity Generating Board of the increased use of oilburn and nuclear power to generate electricity? How is that being paid for? What are the effects of the dispute on important sectors of manufacturing industry? How can the Minister justify the closure of Cortonwood and Polmaise collieries? How can the closure of those modern pits advance the interests of the industry? Where do they fit into Mr. Ian MacGregor's picture of so-called uneconomic pits?

How do the proposals made in the press yesterday by Mr. MacGregor differ from his original plan to sack

20,000 miners and close 25 pits? What efforts are the Government making to achieve fresh negotiations that would put aside the closure plans and result in a plan for the coal industry agreed by both unions and management?

I am sorry that the Secretary of State is not present to answer my final question. He and the Minister have obligations to the coal industry. Will they now assume those responsibilities and sort out the energy policy for this energy-rich country? That policy must be based on long-term planning, as opposed to short-term financial targets, and must recognise the importance of coal as a fuel for the future.

Mr. Shaw: The right hon. Gentleman is right to refer to the future for coal, which is primarily within the hands of the industry itself. The future for coal has been underwritten by this Government and their predecessors, in as much as large volumes of taxpayers' money have gone into the industry.

The right hon. Gentleman also referred to subsidy. I remind him that about £1 billion is going in each year from other workers through their taxes to sustain this industry, and that there is investment of £2 million a day. That is an extremely high level of investment.

It is because we have provided very substantial sums of money that the industry can look forward to a viable and high-production future. That objective is fully shared by the board, and it has been widely recognised within the industry. That is why 40,000 miners are today working for the future of the industry. I very much hope that there will be some response to the view that, given these consultative committees, the NUM should join in these discussions.

Mrs. Elaine Kellett-Bowman (Lancaster): Is my hon. Friend aware that every day last week up to 300 flying pickets from Yorkshire invaded the tiny port of Glasson Dock in my constituency despite the fact that most Lancashire miners would like to work unless and until a national ballot votes that they should all strike?

Mr. Shaw: My hon. Friend is right. Pickets are in attendance throughout the coalfields in an attempt to deter those seeking to go to work. It is the Government's objective to see that they have that right and to ensure that that right is preserved.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Does the hon. Gentleman support Mr. MacGregor's recent statement that no miner will be forced to accept redundancy? If that is an honourable intention, and if the 20,000 miners whom Mr. MacGregor intends to make redundant all refuse to accept redundancy pay, how will he be able to close the 25 pits?

Mr. Shaw: The hon. Gentleman knows full well that the NCB will determine how the redundancy scheme will operate, and he also knows full well that the NCB has made the offer genuinely. It intends to see that this year, as last year, there are no involuntary redundancies in the programme.

Sir Anthony Meyer (Clwyd, North-West): Is my hon. Friend aware of the tragic dilemma of those miners, particularly in Wales, who wish to safeguard their excellent labour reputation by continuing to work in the present difficult circumstances? Will he give them the consolation of assuring them that the Government's commitment to the coal industry remains entire?

Mr. Shaw: I certainly give my hon. Friend that assurance. He will know that the commitment to the Point of Ayr development is just as strong.

Mr. A. J. Beith (Berwick-upon-Tweed): Why will the Secretary of State not take the positive step of summoning a meeting of the chairman of the board and the president of the union with one item alone on the agenda—"Plan for Coal"—and how it can best be implemented?

Mr. Shaw: The hon. Gentleman must recognise that, given the present position in the industry, the board and those who work in it have the capacity to resolve this issue. Clearly, the NUM is split on this matter. It is not feasible for the hon. Gentleman to suggest that somehow this can be resolved by a wave of the wand from outside.

Mr. Andy Stewart (Sherwood): As the Nottinghamshire miners have voted to continue to work, and have shown that they will continue to do so, is it not time that the NCB implemented the new wage proposals that have been on the table since last year? Out of respect for those miners who voted against a strike, it would be only right if they received the increased pay award.

Mr. Shaw: I note what my hon. Friend says, and the House will be aware that the Nottinghamshire miners have been forthright in their acceptance of their duty to work for the future of their industry. The matter of payment is one for the National Coal Board.

Mr. Alec Woodall (Hemsworth): The Minister has just made great play about the large stocks held by the Central Electricity Generating Board—enough, he says, to keep the electricity supply going for the next few months. Is he aware that a few weeks ago, an appeal was made to the officers of the Yorkshire area of the NUM, by the British Steel Corporation at Scunthorpe for 16,000 tonnes of coal to be released to keep that steelworks open? Is the hon. Gentleman aware that the coal required is high quality coking coal, the coal that is produced at Cortonwood, but the National Coal Board cannot supply those 16,000 tonnes of coal for Scunthorpe? This is where the dispute started. Will the Minister give an assurance that he will tell Mr. MacGregor to withdraw the closure notices and bring this silly dispute to an end?

Mr. Shaw: No, I shall not give any assurance on that, because, as the House should know by now, the National Coal Board runs its business and it is not the business of the Government to intervene. As to the hon. Gentleman's question, I am glad that arrangements have been made to ensure supplies to the Scunthorpe steelworks. However, as I think I have said to the hon. Gentleman before, consultative procedures can be initiated on Cortonwood if the NUM is willing to do so.

Mr. John Hannam (Exeter): Will my hon. Friend refute the unfounded allegations made by Mr. Scargill on "The World at One" yesterday that in some way the Government have broken the terms of "Plan for Coal" of 1974? Is it not the case that the Government have upheld their agreement by investing in the coal industry throughout the years and that it is the NUM that has broken the agreement by preventing the agreed closure programme of the uneconomic pits?

Mr. Shaw: My hon. Friend is right. Investment is one of the important factors in "Plan for Coal", and the amount invested is far higher than envisaged. The productivity

increase of 4 per cent. per annum that was aimed at has not been achieved, and it was only last year that we achieved a 4.7 per cent. increase. The reduction in capacity was expected to be about 3 or 4 million tonnes per year, but less than half that has been achieved. My hon. Friend is right. The Government have kept their promises in terms of "Plan for Coal."

Mr. Alexander Eadie (Midlothian): For how much longer will the hon. Gentleman deceive the House and the country that this is just a local dispute, when 80 per cent. of the miners are on strike? Are the hon. Gentleman and his Government prepared to do something constructive? Why do they not call a meeting of the tripartite inquiry, over which his right hon. Friend the Secretary of State for Scotland could preside, to try to bring an end to this dispute through conciliation rather than confrontation?

Mr. Shaw: If the hon. Gentleman is after conciliation, why does he not advocate a national ballot on this issue?

Sir William Clark (Croydon, South): Does my hon. Friend agree that the proposed number of pit closures is smaller than the number of pit closures carried out by the Labour Administration? Is not this strike nothing to do with pit closures and everything to do with politics? Is it not a disgraceful fact that Mr. Scargill, as head of the National Union of Mineworkers, refuses to negotiate?

Mr. Shaw: It is a fact that the president of the NUM has drawn his own conclusions as to what the dispute is about. It is equally incontrovertible that the future of the industry is critical, but the people who are being most damaged by what is going on are the miners, and the future of the industry is at stake.

Mr. Martin Redmond (Don Valley): How does the Minister equate Mr. MacGregor's recent statement about his willingness to phase in the colliery closures programme over a longer period with the Prime Minister's statement, made on two occasions to the House, that the closure programme is being scheduled? Would not the country be better served on this occasion if the Prime Minister went back to the corner shop?

Mr. Shaw: The chairman of the National Coal Board has made it clear in the consultative committee—it met again this morning—that he is prepared to discuss matters with those who are concerned with the long-term future of the industry and that the restructuring of the industry is an essential part of those discussions. Those discussions have been held with several unions in the industry. So far, the National Union of Mineworkers has refused to be a party to them.

Mr. Richard Hickmet (Glanford and Scunthorpe): Does my hon. Friend agree that the gravest consequence of the strike is upon our steel industry and those who work in it whose jobs depend on coal, and upon our coal miners whose jobs depend on supplying the steel industry? Does he agree, further, that it seems apparent that the National Union of Mineworkers and its leadership are quite prepared to see the steel industry sacrificed upon the altar of Arthur Scargill's political ambition?

Mr. Shaw: I understand fully my hon. Friend's concern with the steel industry. So far the arrangements are very tenuous. They have been made to try to maintain some supplies of coal into the steel industry. It must be recognised that this is a very fragile arrangement and that the future of the steel industry is clearly at risk.

Mr. Jack Dormand (Easington): Will the Minister confirm that the Central Electricity Generating Board, as a result of the dispute, is buying oil at a cost of £15 million a week to the taxpayer? In view of the fact that we are being told constantly that there are sufficient coal stocks to last until the autumn, is not some deception being practised at the moment?

Mr. Shaw: I have made it clear that there are sufficient stocks available to carry us through well into the autumn and for many months after that. Of course, oilburn has to be done where supplies of coal are restricted. The hon. Gentleman would be the first to complain if proper precautions were not taken.

Mr. Rob Hayward (Kingswood): Is not it unfortunate that the right hon. Member for Salford, East (Mr. Orme) did not include in his comments some encouragement to the leader of the National Union of Mineworkers, Mr. Scargill, to meet Mr. MacGregor, as he has been invited to do?

Mr. Shaw: I have no doubt that the right hon. Gentleman has heard my hon. Friend's observations. The fact remains that the president of the National Union of Mineworkers has his own view of what the dispute is about.

Mr. Michael Welsh (Doncaster, North): Is the Minister aware that the National Union of Mineworkers desires an end to the strike on reasonable terms? Is he aware, further, that the union's representatives will not negotiate at consultative meetings but will insist on conciliation meetings, which are quite different and are laid down under the nationalisation Act? Will the Minister now persuade the chairman of the National Coal Board to invite NUM representatives to meet him? It appears that Mr. MacGregor has asked every reporter and every pundit on television and radio, but has not contacted officials of the NUM. Will the Minister put pressure on the chairman to invite NUM representatives direct so that they can negotiate under the conciliation machinery?

Mr. Shaw: The National Union of Mineworkers knows full well that there are consultative meetings which involve all the unions in the industry and that they meet regularly. The hon. Gentleman will know that there have been several such meetings in recent weeks. He will also know that the National Union of Mineworkers has declined to attend. The discussions are available. The chairman of the National Coal Board has reiterated his willingness to see full union representation round the table. The National Union of Mineworkers can send its representatives if it wishes.

Mr. Tony Marlow (Northampton, North): Has my hon. Friend any information about the cost of the private armies that are marauding round the north midlands trying to persuade fellow workers not go to their places of work? What are their rates of pay, and who is financing them?

Mr. Shaw: I have no information of the kind described by my hon. Friend. I remind him that the miners themselves are losing substantial amounts of money. It is absurd that other people are trying to prevent them from resuming their earnings.

Mr. Ray Powell (Ogmore): Is the Minister aware that miners, too, are losing money? Is he also aware of the remit that MacGregor was given when he was appointed

by the Prime Minister? He has ratted on his remit. Therefore is not the best way out of the dispute to sack MacGregor and get someone else into the chairmanship who will negotiate with Arthur Scargill?

Mr. Shaw: I understand the concern that the hon. Gentleman has always expressed on Welsh coal matters. But he is quite wrong on this issue. He is quite wrong when he suggests that the remit has been reneged upon. The remit given to the chairman of the National Coal Board was virtually identical to that given to his predecessor and concerns the future viability of the industry. If the hon. Gentleman is really concerned about that, he should be working now to achieve the structural viability.

Mr. Tony Favell (Stockport): Would the Minister agree that it is all very well for Opposition Members to talk about negotiations, but that there is little point in Mr. MacGregor negotiating with Mr. Scargill until he knows whether Mr. Scargill even has the confidence of his own members? Does he agree that until such time as a national ballot is held, Mr. MacGregor cannot know that?

Mr. Shaw: My hon. Friend is right. It was demonstrated here today that about 35,000 miners in the industry are working — [Interruption.] — that about 35,000 to 40,000 miners are working in the industry. [Interruption.] The fact remains that, until a national ballot is held, the president of the union does not know precisely what his people really want.

Several Hon. Members rose—

Mr. Speaker: Order. Although this is a private notice question, in view of the interest by hon. Members with mining constituencies and others I propose to call those hon. Members who have been standing.

Mr. Tony Benn (Chesterfield): Is it not clear that, despite everything that the Government and Mr. MacGregor have said, they have totally failed to persuade a vast majority in the NUM to accept—[Hon. Members: "How do you know?"]—as evidenced by the fact that a national overtime ban has been going on and that 80 per cent. of the miners are involved in industrial action. Is it not clear that the Government and Mr. MacGregor have totally failed to persuade NUM members that it is right to go for a massive policy of pit closures?

Despite all the assurances by Ministers, is it not clear that the Government cannot maintain the energy supplies needed by industry? Is it not also a fact that support by the transport unions shows that many millions of people in Britain recognise that the miners, by their action, are safeguarding the nation's future energy supplies?

Mr. Shaw: I hardly think that the right hon. Gentleman's last statement is consistent with his previous statement. A 4 per cent. reduction in production or output is required of the industry in the next year. That can hardly be stated to be a massive reduction in the industry's capacity. With a £2 million investment per day there is no suggestion of a major cut in resources to the industry.

Mr. Benn: That is not correct.

Mr. Shaw: The right hon. Gentleman must get the facts right. If the coal industry is to have a future it must produce volume priced according to the market and not just according to what is in the ground at the time.

Mr. Frank Haynes (Ashfield): When will the Minister come to the Dispatch Box and admit that Ian MacGregor

is doing this Government's dirty work? Bearing in mind that Ian MacGregor has already announced 20 pit closures, will the Minister say whether, if he gets away with those 20 closures, another 20 will close?

Mr. Shaw: The hon. Gentleman knows very well that, after the discussions about the future of the coal industry, there is agreement that contraction must take place. There can be no question of retaining every single pit. We now require acceptance that, if that objective is not reached soon, the prospects for the British coal industry in terms of competing with world supplies are remote.

Mr. David Young (Bolton, South East): Does the Minister recognise that, apart from the political ping-pong, we are talking about a national asset, the jobs of people and the future of industry? When will the Minister stop looking as detached as an undertaker at a funeral? When will he intervene to bring the two sides together?

Mr. Shaw: It is absurd to suggest that we are not directly concerned with the industry's future. This Government have done more than most of their predecessors to demonstrate that determination by increasing investment and by ensuring that the industry has redundancy terms which are better than any other industry has had.

Mr. Dennis Skinner (Bolsover): Can the Minister explain why this Government are prepared to ensure that marginally uneconomic oilfields receive money from the taxpayer as a result of the Petroleum Royalties (Relief) Act which went through the House in the last 12 months, whereas marginal pits which are likely to last much longer cannot receive the same assistance to keep them open? Is it not a nonsense to spend £850 million currently on the strike together with the £500 a week that it costs to police the strike in the Midlands? Will the Minister look at the long-term aspects? Does he agree that this winter we started with 53 million tonnes of coal in stock, that we shall start next winter with less than 30 million tonnes in stock but that we shall be better placed than we were in 1972 and 1974?

Mr. Shaw: No, Sir.

Mr. Ian Wrigglesworth (Stockton, South): Does the hon. Gentleman agree that the sad fact is that the people who will be hit hardest by the strike are likely to be the miners? Is that not because the leader of the NUM is seeking to pursue his political ends in that action? When the miners have been balloted nationally, as they should have been, they will show that they fully understand that position. Will the Government show that they fully understand the anxiety in communities direly affected by the pit closures by pursuing the proposal made by my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) to establish an NCB industry company to do the type of work that the British Steel Corporation (Industry) Ltd. did after the closure of steel plants?

Mr. Shaw: I understand the importance of the hon. Gentleman's suggestion, but the characteristics of the coal industry are vastly different from those affecting the steel industry, in which large plants were sited in isolated communities. We are dealing with a more widespread issue. For many years, a traditional method has been established to deal with that issue.

Mr. Dick Douglas (Dunfermline, West): Can the Under-Secretary of State tell the miners in my constituency, especially those formerly employed at Bogside, how much credence they can place on Mr. MacGregor's view on rephasing pit closures when at Bogside there is a clear sign of industrial vandalism on the part of management? On 12 April when I and my hon. Friend the Member for Clackmannan (Mr. O'Neill) met him, Mr. MacGregor had not taken the trouble to read the report on the events leading to the cessation of production at Bogside. How much credence can the miners in my constituency give to the attitudes of a man who is paid hundreds of thousands of pounds a year to disregard what is happening to vital national assets?

Mr. Shaw: I fully understand the position to which the hon. Gentleman referred. We have discussed that problem together. The fact remains that the NCB did not take any action conducive to the loss of that pit.

Mr. Douglas: That is not true.

Mr. Shaw: That statement was made after a thorough examination of the position, and I am satisfied with it.

Mr. D. N. Campbell-Savours (Workington): Will electricity prices be raised to fund additional oil purchases by the Central Electricity Generating Board?

Mr. Shaw: That is not a matter involving this question. *[Interruption.]* I understand the hon. Gentleman's anxieties, but that is a matter that the CEGB will, no doubt, consider in due course.

Mr. Robert Adley (Christchurch) rose—

Mr. Speaker: Order. In the interests of balance, I shall call the hon. Member, although he has not previously sought to intervene.

Mr. Adley: Pursuant to the question raised by the right hon. Member for Chesterfield (Mr. Benn), will my hon. Friend confirm that the Government of which the right hon. Gentleman was a member, closed more than 250 pits in six years and that about 60 pits have been closed during the past six years?

Mr. Shaw: I can confirm that several hundred pits were closed during the period of the Labour Administration whereas many fewer—about 30—were closed during the period of the last Conservative Government.

Mr. Orme: I underline the central point made by my hon. Friends: Mr. MacGregor is carrying out Government policy. Consequently, will the Government intervene, as the Prime Minister did in 1981, to bring both sides together to reach a solution to this problem? A solution can be achieved if the Government have the will to do so.

Mr. Shaw: The right hon. Gentleman must be aware that there is grave disarray within the union. He must equally be aware that attempts to invite a national ballot of the union membership have not been acceptable to the union leadership. The union must look at that position. For its part, the NCB will be looking for discussions about the industry's future, which the chairman has today reiterated his willingness to have.

Libyan People's Bureau (Shooting Incident)

4 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): With permission, Mr. Speaker, I should like to make a statement about the events of the last week arising from the shooting incident in St. James's square.

At 10 am on 17 April, a peaceable demonstration was taking place outside the Libyan people's bureau. The police were fully in control and there were no problems of public order. Without any warning, shots were fired from an automatic weapon from a window on the first floor of the bureau. Twelve people were injured and were taken to hospital, including a woman police constable, Yvonne Fletcher, who, as the House knows, died shortly afterwards. I am sure that all hon. Members will wish to be associated with the message of deepest sympathy that I sent to Yvonne Fletcher's parents. [HON. MEMBERS: "Hear, hear."]

The police acted immediately to cordon off the area and to evacuate nearby buildings. They have since maintained a protective watch on the bureau and controlled movements there. I should like to pay tribute to the police for the exemplary way in which they have handled this difficult position throughout, with great skill and patience.

I should add that at 8 pm on 20 April a bomb exploded in the luggage collection hall at Heathrow airport, injuring 25 people. Inquiries into that further incident are continuing. It is not yet clear whether it is connected with what happened in St. James's square.

The murder of WPC Fletcher from inside the Libyan people's bureau was a barbaric outrage. It was, as my hon. Friend the Minister of State, Foreign and Commonwealth Office, made clear in his announcement on 22 April, a wholly unacceptable and unprecedented breach of British law, international law and the Vienna convention on diplomatic relations.

After the shooting took place, we immediately asked the Libyan authorities to instruct those inside the bureau to leave the building and to allow it to be searched for weapons and explosives. That request has been repeatedly refused by the Libyans.

In the face of that Libyan refusal, we proposed to the Libyan authorities three things as a basis for terminating diplomatic relations by agreement: first, that all current occupants of the people's bureau and all other Libyan diplomatic staff in the United Kingdom should leave the country in safety; secondly, that our own diplomatic staff should leave Libya in safety; and thirdly, that we should be satisfied that all weapons and explosives were removed from the Libyan people's bureau, and that its buildings in the United Kingdom were no longer capable of being used as a base for terrorist acts.

The Libyans did not accept those proposals. Instead, they in effect suggested that the outrage of 17 April should simply be put on one side. Colonel Gaddafi proposed a Libyan Commission of inquiry, to come to the United Kingdom and inquire into the facts, and for any Libyan implicated to be put on trial in Libya. We regarded that response to the flagrant abuse of diplomatic immunity and the murderous attack on WPC Fletcher as wholly inadequate.

We therefore decided to break diplomatic relations forthwith with Libya, with effect from 6 pm on 22 April. We informed the Libyan authorities that all their diplomatic staff in London and anyone else in the Libyan people's bureau in St. James's square have until midnight on 29-30 April to vacate their premises and leave the country. They are free to leave at any time before then, if they wish, and we are making arrangements for their safe passage out of the country, but we will not permit them to remain beyond Sunday night. It is at that point that any diplomatic immunity expires.

The police will satisfy themselves that anyone emerging from the bureau is not carrying arms and explosives with them when they leave the premises, and then that the premises are safe and secure. I should add that the police view is that, without the co-operation of those in the bureau, it does not seem possible that evidence could be obtained that would sustain in court a criminal charge for the murder.

We have informed the Libyans that the staff of the British embassy will be withdrawn from Libya by midnight on 29-30 April, and we look to the authorities there to fulfil their obligation to guarantee their safe departure. We have also made it clear to the Libyan authorities that we hold them responsible for the safety of the British community in Libya, to which we have attached the highest importance throughout. We have exercised our right to designate a protecting power to look after their interests. We are most grateful to the Italian Government for agreeing to undertake that task, and the Libyan Government have agreed to that. In London, the embassy of Saudi Arabia will act in a similar way for the Libyans.

I should also inform the House of the action that I have taken on other Libyans in this country or who wish to travel here. I am looking carefully at any evidence that the presence of any individual here is against the national interest, and I am not hesitating to use my powers of removal where it is. Two Libyans have been deported since the shooting. Libyans who wish to travel here from Libya will, for the time being, have to apply for visas in neighbouring states. Their applications, and those from Libyans elsewhere in the world, will have to be referred to London, where they will be thoroughly and carefully examined. Applications for entry from those already holding extant visas will similarly be scrutinised with great care, and I would advise those people to reapply. Those measures will ensure that in the coming months only in the most exceptional circumstances will Libyan nationals be admitted to this country.

I share the national sense of anger at the tragic death of a young policewoman and at the gross abuse of diplomatic immunities that caused it. We have made every effort to resolve matters peacefully and by mutual agreement. The attitude of the Libyan authorities has made it impossible for normal relations to continue. We shall continue, as we have throughout, to observe scrupulously our obligations under the Vienna convention, but what has occurred clearly raises serious questions as to the adequacy of the convention, its operation and enforceability. My right hon. and learned Friend the Foreign and Commonwealth Secretary will now review these matters and consider whether to put forward in the international community proposals for changes.

Hon. Members will appreciate that, until the Libyans who are going have gone and British embassy staff in

cc *McGregor*

POWER STATION ENDURANCE

stocks

1. Coals/at CEGB power stations are currently about 18 mt, a fall of 0.8 mt over the past week. Scottish power stations have a further 2 mt of coal.
2. NCB deliveries last week were about 0.5 mt of which 0.3 mt went to power stations and 0.2 mt to other customers.
3. CEGB oil burn is now close to the maximum, saving about 0.5 mt of coal a week.
4. Stocks of coal at UK power stations are sufficient to meet the full expected demand for electricity until early October with no further coal deliveries, provided that maximum oil burn can be sustained. Continued coal deliveries are a bonus. The range of possible outcomes is illustrated in the following table:

Continued coal deliveries (mt per week)	Oilburn (per cent of maximum)	Endurance until
0	100	early October
0	50	mid August
0.5	100	February 1985
0.5	50	mid November

Department of Energy
24 April 1984

14

01 211 6402

Tim Flesher Esq
Private Secretary to the
Prime Minister
10 Downing Street
London
SW1

25 April 1984

Dear Tim

I attach a copy of the weekly note on power station
endurance, which you may wish to show the
Prime Minister before this afternoon's meeting
of MISC 101.

Yours

John

J S NEILSON
Private Secretary

Covering SECRET.

CONFIDENTIAL

file
da



10 DOWNING STREET

From the Private Secretary

25 April 1984

Coal Dispute

Thank you for your letter of 19 April with which you enclosed a report on the coal dispute for the week beginning 16 April. The Prime Minister was most grateful for this comprehensive report.

David Barclay

M.F. Reidy, Esq.,
Department of Energy.

CONFIDENTIAL

NK

PRIME MINISTER

Coal Dispute

I have spoken to the Department of Energy who tell me that there is little more to report on the current state of play than you will have heard on the radio. Only seven pits were scheduled to open today; all of them did and produced coal despite heavy picketing at two. The police are geared up for serious picketing tomorrow when all the Nottinghamshire pits are scheduled to be open.

Since the Home Secretary will be preparing for his statement at 3.30 he has asked if Mr. Waddington may attend ^{MISC 101} in his place. Mr. Younger will also not be present; Lord Gray will attend in his place.

TF
24 April 1984



13

Reference No: E 053

SECRET

PRIME MINISTER

Coal: MISC 101(84)12th Meeting

The Group has not met since 16 April; and there is likely to be more ground to cover than usual. Nevertheless, you will probably wish to stick to the usual format:

reports;

discussion;

any action.

Endurance and coal supplies

2. There are two factual points which it will be important to establish:

(i) the current level of deliveries to power stations (the figure for the week beginning 9 April was 485,000 tons);

(ii) whether maximum oil burn was achieved as planned at the end of last week.

3. The Group will no doubt also receive the usual reports on secondary action and supplies to steel making and other industries.

SECRET

SECRET

Implications of Special Delegate Conference

4. You will wish to go thoroughly into the implications of the decisions of the Special Delegate Conference (SDC) of the NUM on 19 April.

(i) What is the practical significance of the reduction from 55 to 50 per cent in the majority required for a strike?

(ii) Is there now any better prospect of an early ballot? What are the likely tactics of the moderates within the NUM, and how effective are they likely to be?

(iii) What is the status under the NUM's rules of the strike call in areas which have voted to continue working?

(iv) Are there any indications, particularly in changed attendance figures, of the effects on the rank and file of the SDC's decisions?

NCB tactics

5. During discussions with representatives of two of the three mining unions last week (the NUM did not attend) Mr MacGregor said that the unions could come at any time to discuss the phasing of the planned pit closure programme. The press have represented this as a 'concession'. The Industrial Director of the NCB (Mr Smith) said today in an interview on the 'World at One' that the NCB were prepared to negotiate. Mr Scargill's reaction (on the same programme) was to refuse to discuss closing pits with technically workable reserves.



SECRET

6. The Group will wish to consider the following.

(i) What part does the 'concession', if such it is, play in the NCB's tactical planning? Until now the NCB have emphasised that some closures were inevitable, and that any strike to try to stop them would be both futile and very lengthy. Do they perhaps think that this line is regarded as too rigid by moderate opinion among coal miners? On the other side, is there a risk that the 'concession' may encourage the militants by seeming like the first signs of weakening resolve?

(ii) Do the NCB see any need to reconsider their tactics in the light of the decisions of the SDC?

Next Meeting

7. A further meeting of the Group has been provisionally arranged for Monday 30 April. Unless circumstances change, there seems to be no need for an earlier meeting.

M.S.B.

M S BUCKLEY
Cabinet Office.

24 April 1984

Not Incl: Coal.
Mufaxed

PRIME MINISTER

NOTTINGHAM MINERS

Nottingham Council met this morning to consider the position of their men in the light of delegate conference yesterday.

Council took the view that they would endorse yesterday's position. This means that those who wish to strike will be on strike officially, whilst those who continue to work must respect the picket lines.

In other words, Council is backing the strike. However, this action has been challenged as unconstitutional as no area vote has been taken. Council Chairman overruled this objection.

Position now is to wait and see what happens. In the past advice of the Council has been rejected and this may well happen again. But as all the pits won't be back to normal working until Wednesday (because of the Easter break) we need to wait until then to see if Nottinghamshire has succumbed.

Manley* (Department of Energy) stressed that in the past pits have ignored advice of Council and we must wait until Wednesday before jumping to any conclusions, either way.

The Secretary of State for ^{Energy} ~~the Environment~~ has been informed of this development.

DUTY CLERK

20 April 1984

1630 hours

* Mr Manley
0252-22707

Noted Coal

pc. Press office

RECORD OF A TELEPHONE CONVERSATION BETWEEN THE PRIME MINISTER
AND THE SECRETARY OF STATE FOR ENERGY: 1005 HOURS ON 20 APRIL 1984

The Secretary of State for Energy reported that 46 pits had been open throughout the previous week. Attendances had been slightly higher than the week before that, although they had fallen off somewhat as the Easter holiday approached. Deliveries of coal had been significantly better. The stock position was satisfactory, and CEEB had now achieved 100% oil burn.

The Secretary of State said that his priority was to persuade the press to report the true facts of the dispute: no miner faced compulsory redundancy, the Board's pay offer was a good one and investment was continuing at a high level. The NCB would be starting an advertising campaign that weekend in the popular Sunday papers.

During the previous week, there had been private talks between the Chairman of the Coal Board, Mr. Laird, and Mr. Duffy. The Chairman had taken the line that the Board's proposals were reasonable and good for the future of the industry. Mr. Laird and Mr. Duffy had been concerned that Mr. Scargill was cutting himself off from the TUC, and concentrating on rallying the left-wing. Further talks between the Chairman and union leaders were planned, and there was a possibility of a meeting with Len Murray.

In separate talks the Chairman had met representatives of the two smaller coal industry unions. They had reportedly been impressed by what he had said about no compulsory redundancies, and the excellent prospects for miners through productivity deals. It was possible that these talks would be followed by discussions about the longer term future of the industry.

The point which the Secretary of State wanted to get across to the press was that Mr. Scargill was talking neither to the Chairman nor to the TUC, as well as being opposed to consulting the views of miners through a national ballot.

In discussion of Thursday's votes at the National Delegate Conference, the Secretary of State said that the second result / had been

had been curious. It was possible that some Nottinghamshire miners had abstained from voting for a ballot because they would be bound to stop working during the run-up period. The Chairman believed that the results of the Delegate Conference had hardened moderate opinion, and that those who had been working before Easter would return on Tuesday. Coal Board lawyers were examining the implications of the Conference's decision to coordinate picketing.

The Secretary of State said that he had prepared three papers: one on the scope for rebuilding stocks at the first opportunity; a new brief for MPs; and a draft speech for use if it became necessary to move to begin a political campaign.

The Prime Minister enquired what the Secretary of State thought Mr. Scargill would do next. The Secretary of State replied that he thought his priorities would be to increase picketing, and to examine ways of improving collaboration with other unions. In the latter respect he had been conspicuously unsuccessful so far, particularly with the rail unions. His strongest ally could be the TGWU, but the Secretary of State judged that Moss Evans was not fully in control of it - for example the power station section wanted nothing to do with the strike.

Concluding, the Prime Minister said that the Government's priority should be to ensure that the Board was in a very strong position if Mr. Scargill determined to bring matters to a head. Meanwhile, it was a question of watching for changes in the attitudes of miners.

20 April 1984



10 DOWNING STREET

mf

From the Private Secretary

Prime Minister : Welcome back!

Peter Walker will telephone you from
Madaira at 10am tomorrow, to discuss
political / handling aspects of the coal
dispute.

We have arranged for you to speak thereafter
to Giles Shaw about the details, if you
wish.

The Home Secretary is in London tomorrow
and will chair a meeting on the Libyan
Situation at 1630. The Briefing Room is open
on a 24 hour basis.

DWB
19/4



SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

Prime Minister

CONFIDENTIAL

David Barclay Esq
Private Secretary to
The Prime Minister
10 Downing Street
London
SW1

*Dms
19/4*

19 April 1984

Dear David

COAL DISPUTE

I attach a weekly report on the situation in the usual form which I believe covers the details for which you have asked. However it may be useful if I summarise briefly what we see as the main features of the situation in the past week:-

- (i) 122 pits have continued wholly on strike. The number working more or less normally has remain stable at 45-46. Men at work on Monday were 500 up compared with the previous week but numbers fell slightly today (Easter).
- (ii) some obstruction by signalmen to train movement has continued but the position has improved during the week, with 55 coal trains moving on Wednesday compared with 40 on Monday. Total movement of coal in the week seems likely to be about 520,000 tonnes, much the same as in the previous week: of which about 300,000 tonnes will have moved by rail and the rest by road. Road movement has not encountered difficulty. The NUM has agreed some exports of house coal to Northern Ireland and the Northern Ireland TGWU have agreed imports (initially of US coal) for the Belfast West power station.
- (iii) CEGB are now operating at 100% oil burn, as planned. The receipt of the 300,000 tonnes of coal this week is a bonus measured against the worst scenario of an all-out strike. If this pattern could be continued throughout the summer it would mean a significant extension to planned endurance (see table attached to my letter of 16 April to Andrew Turnbull).



- (iv) no serious problems have yet developed in industry generally, though there are some worries in the cement industry. The most significant problem is in British Steel at Scunthorpe and Ravenscraig. The NUM have found themselves in difficulty in honouring their bargain with the steel union to facilitate limited coal supplies for Scunthorpe: the issue is still in doubt. Meanwhile there are some threats in the National Union of Seamen to stop imports of coal to Ravenscraig.
- (v) The CEGB has agreed to sell 1 m tonnes of its Rotterdam stock to fulfil export contracts. This was agreed with the Department of Energy and the Treasury as a sensible use of stock, yielding public expenditure savings and benefits to both industries. The CEGB, and the two Departments, judge that such a sale will not prejudice endurance or recovery because (quite apart from the existence of pit head stocks in this country) coal stocks at Rotterdam will remain substantial (at least 2 m tonnes), coal is available on the international market and there are, in any case, physical constraints to the amount of coal that can be readily imported for use by CEGB.
- (vi) the NUM Sheffield Delegate Conference voted this morning 187 to 59 to reduce the requirement for a national strike in a national ballot from 55% to a simple majority but rejected by 69 to 54 a proposal to ballot now. NCB are unable to explain the discrepancy in the figures. The similar minority in both votes confirms the existence of the hard core of moderates within the union. One must assume that the left wing are still not confident of obtaining a majority for a national strike. The principle is still: area action. Once again the test next week will be whether, in these circumstances, the Notts miners and others continue to work.
- (vii) the Board intend to launch a major publicity campaign starting on Tuesday. This will be primarily giving positive messages to the miners and the public on local and national press and radio. For example, as usual, all pits remain open for those willing to work, management willingness to negotiate - door remains open etc.
- (viii) two small haulage firms in the Forest of Dean (Read Transport) obtained an injunction on Tuesday against pickets organised by the South Wales Area NUM interfering with their coke deliveries from Avonmouth to Port Talbot. No other legal action is in train at present. At the Sheffield Conference Scargill announced that, in future, picketing would be nationally organised. This may be an attempt to require any legal action to be taken against the NUM nationally.





(ix) The Annual General Meeting of the National Docks and Waterways Committee of the TGWU this morning called for total stoppage of dock work if any docker was sent home without pay for refusing to handle coal. Their Chairman claimed he was confident the men would come out. Department of Employment are sceptical that this claim will be fulfilled.

*Yours sincerely
M F Reidy*

M F REIDY
Private Secretary

CONQUEROR



PITS WORKING

date		Working normally (a)	producing some coal (b)	men working but no coal (c)	idle (d)
Monday 16.4.84	am	45	6	3	121
	pm	43	1	9	122
Tuesday 17.4.84	am	46	5	2	122
	pm	44	0	8	123
Wednesday 18.4.84	am	46	5	2	122
	pm	44	0	8	123
Thursday 19.4.84	am	46	5	2	122
	pm	44	0	8	123

North and South Nottingham have continued to work normally this week, although there has been reduced attendance at Newstead and Linby. The extra pit idle this week is Wolstanton (Staffordshire) which now has sufficient men working only to provide safety cover.

The movement from categories (a) and (b) on the afternoon shifts has been attributable mainly to Staffordshire pits.



COAL MOVEMENTS

The following table shows movements of Principal Coal Traffic Movement Trains (PCTs). These are trains to power stations and major industrial users. Each carries about 1000 tonnes.

Date	PCTs that would normally be scheduled	PCTs BR hoped to run	PCTs BR actually ran
Monday 16.4.84	313	45	40
Tuesday 17.4.84	313	40	48
Wednesday 18.4.84	313	48	55
Thursday 19.4.84	313	55	not available

Improvements from Tuesday were largely the result of an apparent change of heart by men at Thoresby. This led to a much larger than expected number of trains getting into High Marnham power station. BR have decided not to roster additional overtime for the holiday weekend; there will, therefore, be no coal movement by rail until Tuesday.

Road transport has been running relatively smoothly where there is coal to be moved and volumes moved daily have been fairly evenly split between rail and road. Total movements daily have been around 100,000 tonnes mid-week, with rather less at either end.

A shipment of Polish coal for BSC has been unloaded at Teeside this week, and a shipment of American coal for Ravenscraig is expected at Hunterston on Easter day; over two-thirds of this cargo could be unloaded by BSC crane drivers without assistance from dockers.



PICKETS

Pickets are generally concentrating on fewer sites but appearing in large numbers.

Bolsover has had a heavy presence all week, ranging from 120 to 750. Several pits in North Nottinghamshire have consistently had 100 or more pickets all week, although there have been fewer in South Notts.

Littleton and Lea Hall, the two pits in Staffordshire with the highest turn out among the workforce and the most consistent coal producers, have been singled out for heavy picketing.

Deerness, a private opencast site in the North East has been heavily picketed all week. There were violent incidents on Monday and a number of arrests, including that of Bob Clay, MP for Sunderland North.

Picketing of power stations has been light and not generally effective. There has been isolated picketing of smaller ports such as Wivenhoe in Essex.



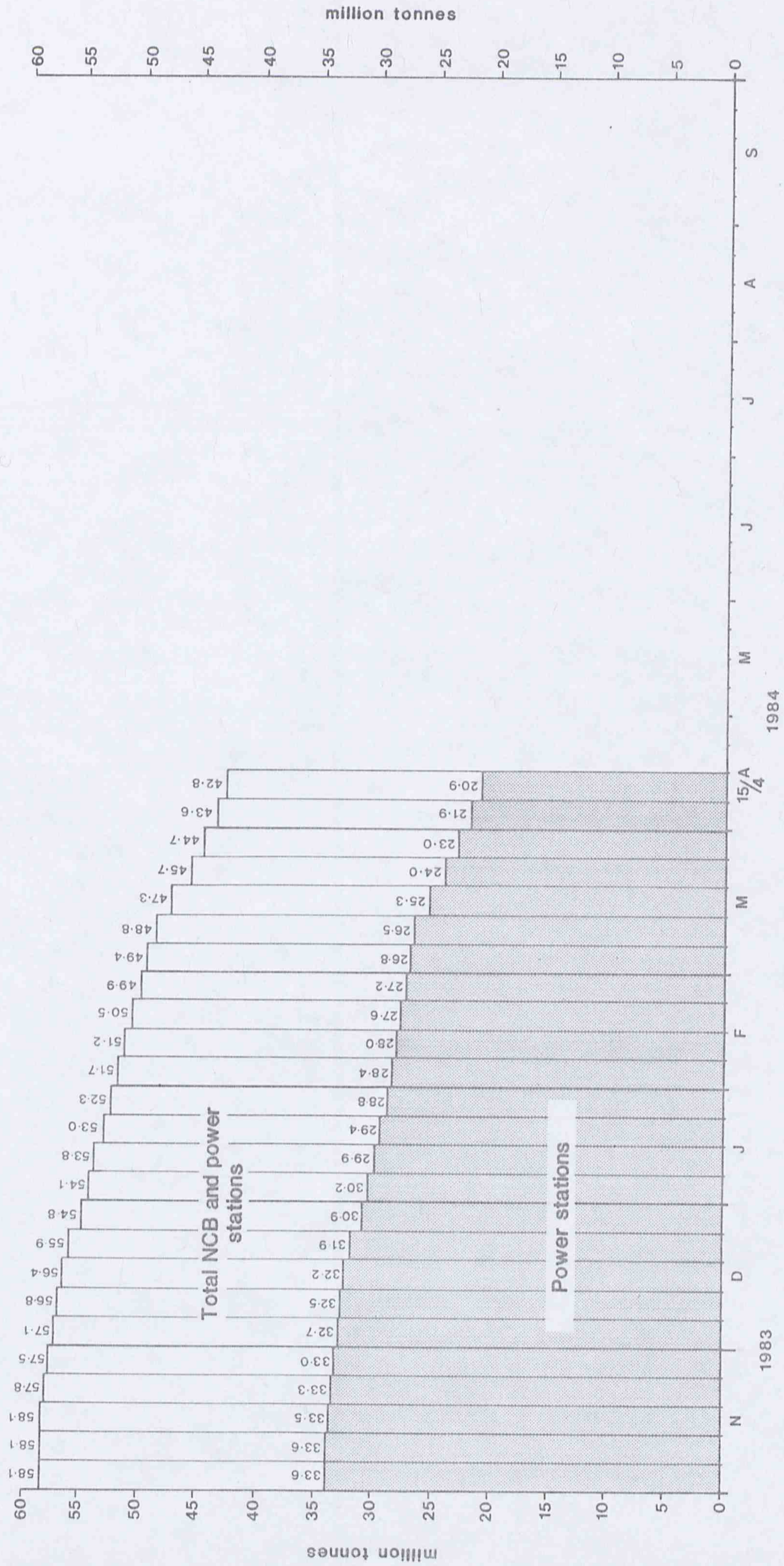
f) Domestic

The domestic position continues to ease as the burning season ends. But the position remains tight particularly in the strike-bound areas. Arrangements to meet priority needs are working with few problems, and local authorities are generally co-operating well in providing evidence of need.

In Northern Ireland agreement has now been reached between the unions and the Northern Ireland Coal Importers that 9000t/week of domestic coal may be shipped to meet "emergency" needs. This should be sufficient to prevent any substantial shortages in the Province.

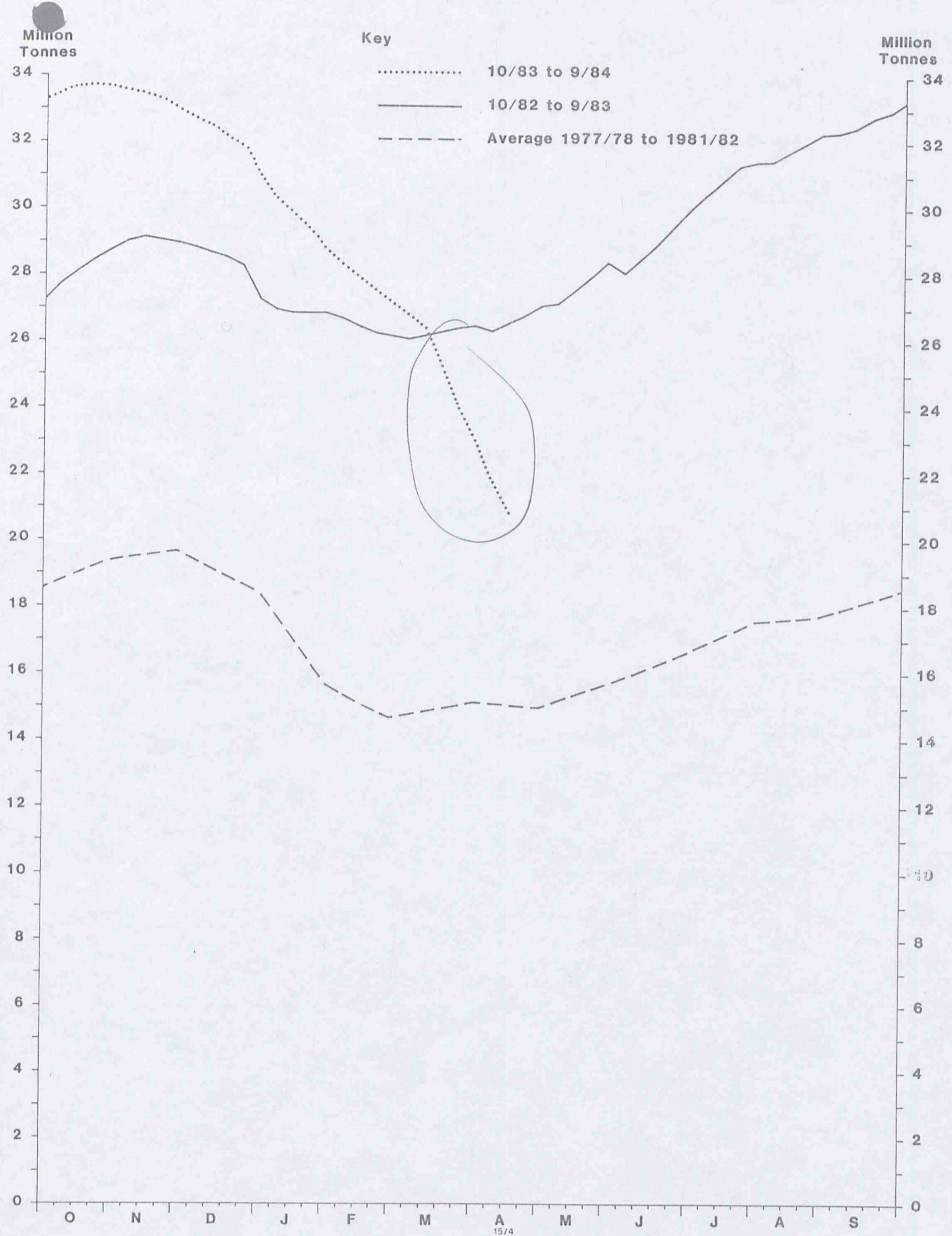
CONFIDENTIAL

COAL STOCKS IN GREAT BRITAIN



CONFIDENTIAL

COAL STOCKS AT PUBLIC SUPPLY POWER STATIONS IN GREAT BRITAIN



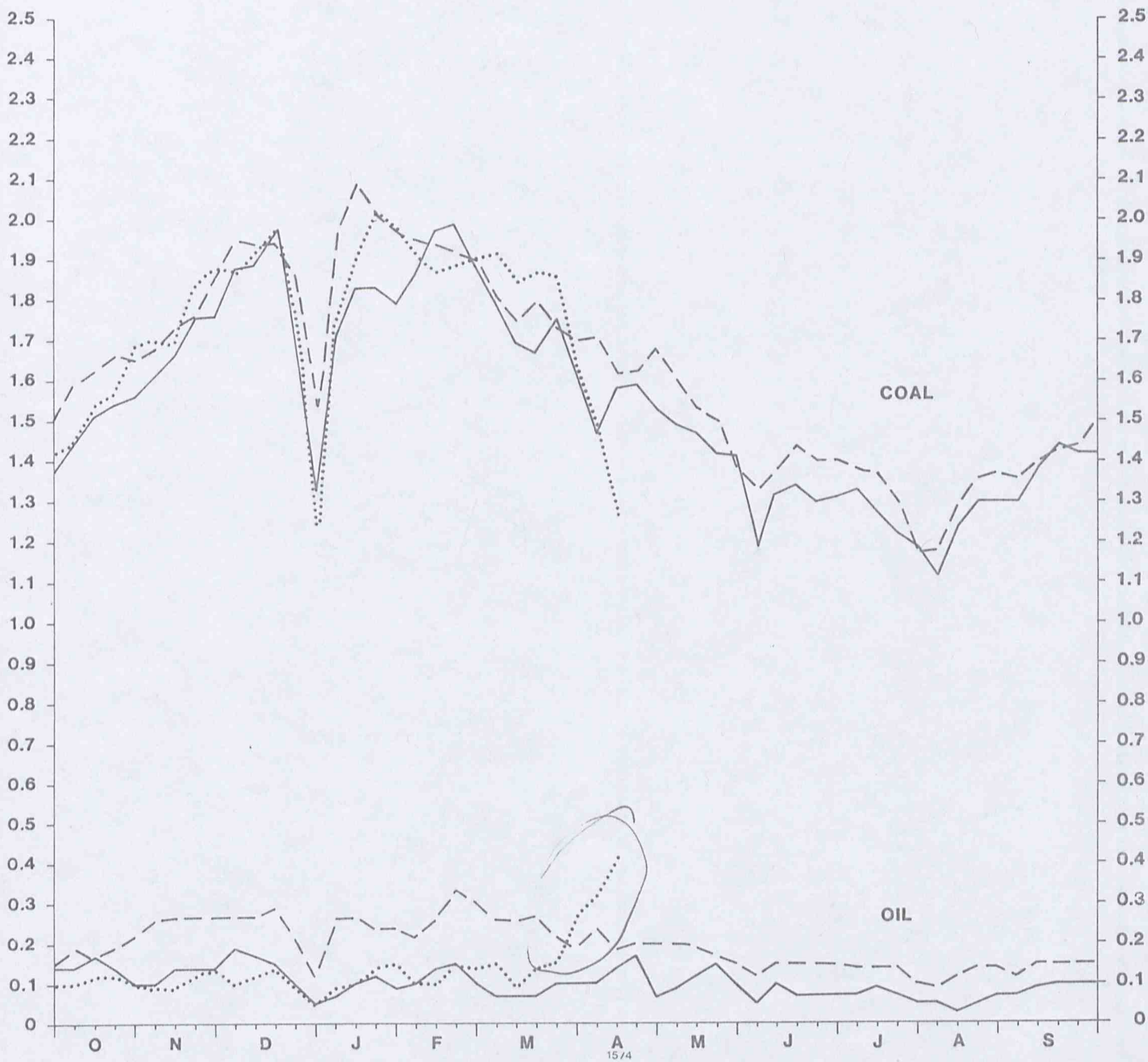
COAL CONSUMPTION AND OIL CONSUMPTION (OIL FIRED) AT PUBLIC SUPPLY POWER STATIONS IN GREAT BRITAIN

Key

- 10/83 to 9/84
- 10/82 to 9/83
- - - - Average 1977/78 to 1981/82

Million
Tonnes
Coal
or Coal
Equivalent

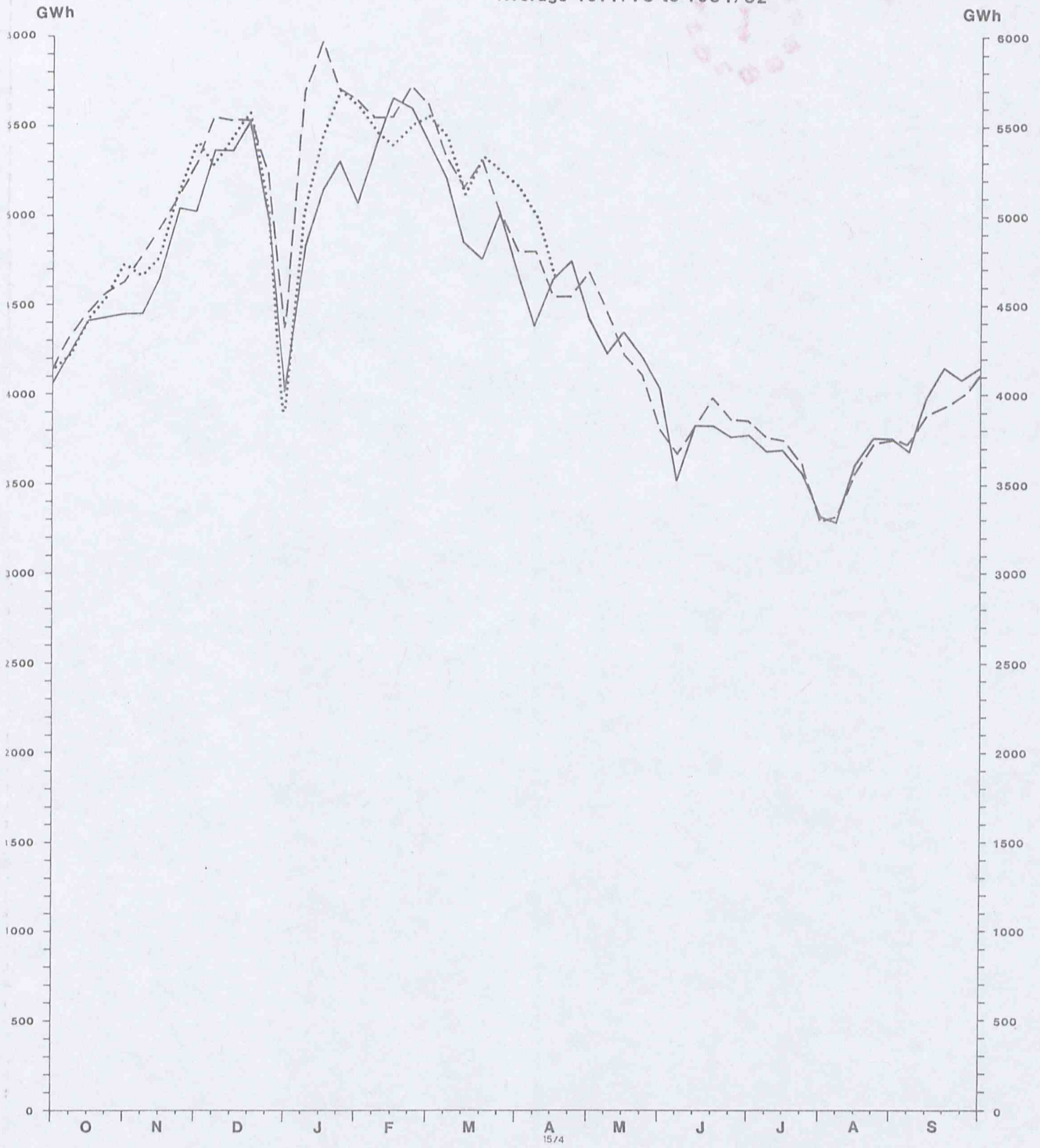
Million
Tonnes
Coal
or Coal
Equivalent



ELECTRICITY SUPPLIED BY PUBLIC SUPPLY STEAM STATIONS IN GREAT BRITAIN

Key

- 10/83 to 9/84
- 10/82 to 9/83
- - - - Average 1977/78 to 1981/82



COAL DISPUTE, SITUATION 18.4.84

This morning there were 46 pits in full production; 5 pits had some attendance; 2 pits had some attendance and no production. This is much the same as yesterday.

The National Coal Board are meeting the Department of Energy at 1000 this morning.

The two main trouble spots are Bolsover pit and Wythenshawe docks in Essex where picketting was particularly heavy.

SECRET

12

SOLE COPY

Prime Minister ⁽²⁾

This is the note John Redwood gave you on Monday. I don't think you had time to read it fully.

18 April 1984

PRIME MINISTER

AT 18/4

THE COAL INDUSTRY

The miners' executive have decided not to hold a national ballot.

The delegate conference which will now meet (made up of 2 delegates for 5,000 men) will have a more effectively organised Left-wing encouraged by the militants' victory in the NACODS vote and at the executive. They are likely to:

1. Reaffirm support for continuing the dispute on an area basis under Rule 41.
2. Call for intensification of picketing and wider support from other industries.
3. They may reduce the majority for a national strike in a ballot from 55 per cent to 50 per cent (on a two-thirds majority).
4. And then recommend a strike ballot which they would expect to win.

It is therefore possible that there will be an all-out national strike by the second half of May. Militants would then be released from picketing other pits and could begin to switch their attention to power stations and other major industrial users.

Miners in the militant areas of Yorkshire, Scotland and Kent may well be determined to stay out for the whole summer. They are using up savings and selling other assets. A solidarity fund has been opened, and according to the Morning Star in recent days, modest sums have been contributed by ASLEF, the AUEW, NALGO, SOGAT and others. Pickets receive a small subsistence allowance, but there is no strike pay.

Winning the Battle for Miners' Opinion

In the run-up to any possible ballot, the NCB has to show that:

1. The Government and Coal Board are being all too reasonable on funding the industry: pushing home the argument about the amount of investment and resources going into the coal industry.

MINAAL

SECRET

2. The NCB and Government do seek a prosperous coal industry, and are following the best course for preserving the most jobs in the long run.
3. It is unlikely that any miner will be made redundant compusorily, and the redundancy terms are more than generous. If Ian MacGregor believes redundancies can be avoided, he should stress this.
4. The earnings potential for miners under the existing pay system should be stressed.
5. Above all, the miners must be reminded that they can vote for a strike, but they have no right to vote to end one. The NCB should get across the point that once they have given Scargill his mandate, he will determine, with his Executive, the timing and duration of the strike, even when miners' money has run out and they are keen to return to work.

What has to be done to keep Public Opinion on Side?

It is equally vital to keep the public with the NCB during the strike. Prior to any ballot, Ian MacGregor should show that he is willing to talk. The public expect participants on both sides of a dispute to be reasonable, to show some modest flexibility, and to look as if they want to talk rather than do battle. Ian MacGregor should be available to discuss with Scargill. They could consider the distribution of the redundancy monies, and the chances of avoiding compulsory ones; the way in which alternative jobs are found for miners in other pits - notice periods, areas in which the jobs are available, etc; ways in which the NCB could help local authorities and others in attracting new industry into the affected areas (eg using NCB land for development); the future of the coal industry under Ian MacGregor's plan and marketing initiatives.

Ian MacGregor could not discuss the principle of closing pits that have outlived their useful life, or are nowhere near viable. He should stress he does not intend to climb down on this issue.

Throughout the dispute it will be important for the Coal Board constantly to remind the public of the fundamental reasonableness of all its positions, even though this may be a PR exercise rather than genuine negotiation.

MINAAL

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- 3 -

How can the Coal Board improve its chances of winning a long strike?

It is vital throughout the dispute that the Coal Board looks as if it means business. This means:

1. Publicising the high level of coal stocks to explain to miners and public that the Coal Board can run a strike for a long time.
2. *already done.* Increasing endurance. The oil-burn decision has already been taken. The CEGB burn should be organised to maximise endurance, and supplies brought through the Scottish link where this helps. Later it might be necessary to consider the private trucking of coal from pithead to power station, and to reconsider whether there are any ways around the National Union of Seamen's ban on coal importation: both these courses are inflammatory.
3. Legal action. If secondary picketing becomes a feature of the dispute - if a national strike has been called - then Ian MacGregor will have to return to the courts.
4. MISC 101 should always be conscious of the danger of precipitating sympathetic action in the electricity industry, and should keep itself well-informed about opinion within the electricity industry.
5. If it becomes a long acrimonious dispute, the thing that matters is how much cash the miners are receiving. MISC 101 will have to monitor support from other trade union funds to the miners.

Peter Walker's figures show that when maximum oil burn is achieved next week with no coal movement, power station stocks could last until the end of September, ie 26 weeks from the beginning of April. CEGB power stations received about 0.3mt of coal last week by both rail and road. Total movements were 0.5mt, the balance going to other customers. Slightly more than half the total was moved by rail.

If this level of coal movement is maintained, power station stocks could last until about the end of November.

Nevertheless, coal stocks at the power stations are steadily declining, even with the current movements of coal. The later the date of a national strike, the lower the number of weeks we could then subsequently hold out. For example, we estimate that if a strike began at the end of May, power station endurance would then be about 20 weeks, assuming current coal movement until then.

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- 4 -

How could the Dispute end?

If it becomes a long acrimonious dispute where endurance matters, there will be a large price to pay. Ian MacGregor has started to explain to the miners what that price might include. It would include more closures of pits forced out of production by the lack of satisfactory maintenance. It would therefore include more redundancies, many of which would have to be compulsory. If the miners suffered a major defeat because the public stayed with the NCB, it might also include some restructuring of the industry with the extension of more private mines, and perhaps the sale of some open-cast sites. At the moment, 700,000 tons a year are produced from small privately-owned deep mines and 700,000 tons from privately-owned open-cast sites.

Throughout the dispute, preserving public opinion on the NCB side is vital and will not always be easy. The public could quite easily go soft if the dispute lengthens and begins to hurt them. They could begin to blame the Government. Cabinet colleagues should be well aware of this eventuality well in advance so that they are prepared for it. It will also be difficult to close pits scheduled for closure that have worked through the dispute.

Recommendations

It is recommended for immediate action that:

1. The NCB, or some independent intermediary, should be encouraged to undertake regular opinion surveys both of miners' opinion and of public opinion towards the dispute. As the whole strategy rests upon keeping the support of the public and the moderate miners, it is a matter of some urgency to have access to good quality information on what these groups are thinking.
2. MISC 101 looks further at some of the actions for increasing endurance mentioned above, in addition to increasing oil-burn.
3. The NCB be encouraged to continue making clear statements as often as possible to the miners in the run-up to any strike ballot, of the dangers of a long strike, of the determination of the Coal Board, the unreasonableness of Scargill's position, and the generosity of the coal policy.

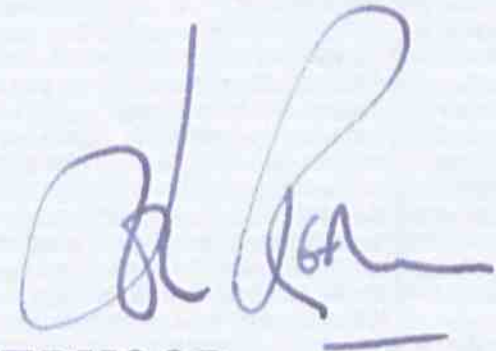
MINAAL

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- 5 -

4. MISC 101 should satisfy itself that all of the current stocks of coal are usable (they weren't in 1974) and that they are correctly distributed so that all the power stations hold out for roughly the same length of time.
5. Industry may patchily run out of stocks. The CBI should monitor this and keep the Government discreetly informed. It could become a pressure point for an early and unfavourable settlement.



JOHN REDWOOD



DAVID PASCALL

MINAAL

SECRET



10

SECRET

P.01274

PRIME MINISTER

Coal: MISC 101(84)11th Meeting

The following will be reporting on the situation on the ground:

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

Home Secretary

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

2. You will probably wish to concentrate on the following:
 - i. any evidence of a further drift back to work;
 - ii. latest developments affecting the Special Delegate Conference on Thursday;
(any legal moves within the NUM; likelihood of rule change being approved; prospects for a national ballot and its likely outcome)
 - iii. attitudes of other unions
(in the light of recent statements at the Scottish TUC meeting at Aberdeen)
 - iv. how to influence rank and file opinion among the miners against a strike.
3. On iv. there is now a disturbing trend of comment that a national strike is inevitable. The expectation in the media

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is that the rule change will be agreed, that there will be a national ballot, that a majority will be secured for strike action, and that there will be a very long strike. This has been fed in particular by the recent polls. The highest priority for the Government and the NCB must still be to mobilise rank and file opinion against the strike. There is ample evidence that local miners' leaders and delegates do not reflect rank and file opinion, Moreover those who oppose a strike may be reluctant to reveal this in a reply to a poll researcher. Can we do more over the next couple of weeks to get across to the rank and file that the NCB plans are to provide the coal industry with a better future, not to destroy it, and that the most certain way to damage the industry's future would be a long national strike?

Next meetings

We are making arrangements to brief you on developments, especially the outcome of the Delegate conference, on your return from Portugal.

AT
16/4

4. The next opportunity for you to chair a meeting of MISC 101 will be on Wednesday 25 April (provisionally 2.30). Shall we assume that the next meeting will be then, unless something comes up requiring Ministerial discussion in your absence. In the latter event, we could ask the Home Secretary to chair a meeting, say this Wednesday, 18 April.

Pq

P L GREGSON

16 April 1984

2

SECRET



SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
01 211 6402

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

16 April 1984

Dear Andrew

CEGB POWER STATION ENDURANCE

I attach a further report for the Prime Minister.

*Yours sincerely
Michael R.*

M F REIDY
Private Secretary

cc WGregson CO
9

CEGB POWER STATION ENDURANCE

1. Coal stocks at CEGB power stations this weekend (15 April) are expected to be about 18.8 mt.
2. NCB coal production this past week is estimated at around 0.5 mt. CEGB power stations have received about 0.3 mt and other customers about 0.2 mt.
3. CEGB oil burn has now reached 75% of maximum. Full oil burn should be achieved next week. The necessary oil supplies to sustain maximum burn have been secured through to late May with relatively modest effect on the spot price. It appears that the ability of the international oil industry to make abnormal supplies of fuel oil available to the CEGB is greater than had earlier been supposed. The CEGB has reassessed power station endurance which is now put at 26 weeks from the beginning of April, slightly more than previously estimated. This assumes that maximum oil burn is sustained and that nothing prevents all coal stocks being burned. Any continued coal supplies to power stations would be a bonus:

Coal deliveries (mt per week)	Oil burn (per cent of maximum)	Endurance until
0	100	end September
0	50	mid August
0.5	100	February 1985
0.5	50	mid November

4. Scotland is less dependent on coal for electricity generation than is the CEGB. The SSEB is therefore able to export electricity through the interconnector in an endurance emergency. Such exports will be adjusted so that power station endurance in Scotland is not less than that in England and Wales. At present such electricity imports save the CEGB about 50 KT of coal a week.

Department of Energy
13 April 1984

MR REIDY

Mr Turnbull

from SW

cc PS/Puss (Commons)

PS/Puss (Lords)

Mr Manley

Mr Priddle

Mr Brown

Mr Gillis

Mr MacGregor's Press Conference - April 13th

1. Attached is copy of today's Press Statement by Mr MacGregor.

2. At a Press Conference this morning he made the following points:

Miners: More miners are steadily drifting back to work. 45,000 now working every day which is an improvement of over 10% on last week and compares with 32,000 two weeks ago. Miners are now working at more than 50 pits - which are 40% of the Board's productive capacity. 1100 more men working in Western Area alone in last few days.

Injunction: He was not pressing for an injunction against picketing today. He intended waiting to see how miners acted next week before taking any decision on that. He had not consulted with the Government concerning injunction issue during last 24 hours and had no plans to do so during the next week.

Damage: He confirmed that miners who wanted to work were facing abuse and physical intimidation but the Board would do everything possible to enable men to exercise their right to work. Some miners' homes had been damaged.

Closures: He agreed that a long drawn dispute could cause further contraction of the industry because of geological problems and because of markets/customer confidence being affected. But it was not his view that the Board would use a long strike to accelerate pit closures.

Mr Cowan made the point that a long strike would do "irreparable damage" to some good pits which would prevent them being worked on.

Government: The strike meant fairly substantial increased loss figures which would affect the Board's profit and loss account althoughs cash flow was improved. The future of the British economy was at stake. He refused to be drawn on Government involvement if the strike went on for long.

The Board was trying to manage the industry, he said.

NUM talks: The NUM had refused to take part in meeting so far and would not be attending next Tuesday's meeting of the National Policy Advisory Committee.

Abroad: French and German coal industries were declining and were rapidly being run down as their Governments could no longer afford their subsidies.

Power Stations: Coal was moving. He refused to say how much. Coal stocks at power stations were very high and would last a very long time as they could use other

energy sources

NCB

Press Release

Public Relations

National Coal Board
Hobart House, Grosvenor Gardens
London SW1X 7AE
Telephone: 01-275 6100

"THE PITS ARE OPEN FOR WORK"

Statement by Coal Board Chairman

Mr Ian MacGregor, Chairman of the National Coal Board, said today (Friday):

"A majority of the National Executive Committee, representing about half the mineworkers of this country, went to yesterday's meeting in Sheffield mandated to vote for a national ballot. They were prevented from achieving it.

"As a result the industry has to endure another period of uncertainty coupled with disruption, hardship and internal division.

"The loss of wages will continue at the rate of £19m. a week on top of the £150m. already lost through the overtime ban and five weeks of strikes in some coalfields.

"Men who resent being denied the chance of a vote to go to work can express their views in another way.

"Each day this week has seen more miners going back to work and more coal being produced. The Board respect the determination of those men confident in the future of their industry who, having voted in local ballots to carry on working, have insisted on doing so despite abuse, physical intimidation and, in some cases, damage to their cars and homes. We shall do all we can to make sure they are able to go on exercising their right to go to work.

"Thanks to them the attempt to achieve a national strike without the ballot required by Union rules has been defeated. They are keeping democracy alive in their Union.

"The Board believe that, now they have been denied the chance of an early ballot, there are more men in other places who will want to return to work. We want to make it clear that all the pits will be open for work on Monday and will remain open.

"We want the maximum number of our employees to have the chance to earn money as the holiday season approaches.

"The Board want to repeat that the industry has already gone halfway towards eliminating the excess of output over market demand. Not a single man was made compulsorily redundant last year.

"Anyone who believes the industry can go on indefinitely producing coal at costs no customer can afford to pay is asking the taxpayer to pay a heavy burden year after year.

"The Board's proposal is to take out of the industry about 4 million tonnes of output, or about 4 per cent. The industry would then for the first time in many years, be in a stable market condition with output and sales reasonably in step with each other. From this stability expansion to 100m, tonnes and more, provided we put our selves in a position to seize the marketing opportunities as they arise.

"The Board are confident that, given there is effective co-operation, there are enough men in the industry ready to take voluntary redundancy on the terms now offered to make it possible for them to be able once again to continue to avoid compulsory redundancy - and also permit an increase in recruitment, particularly of younger men.

"All this can be achieved if the industry tackles its problems with care,

"If this realistic approach is rejected in favour of a strike the damage to the industry will be severe and in places irreparable. Pits deteriorate if they are out of production for a long time.

"In our industry a long stoppage will cause damage to the pits. Business could be lost if our long-suffering customers grow tired of waiting for us to come to our senses.

"Those who are in favour of a strike must realise that they will be out for a very long time. The electricity industry has other fuels available to it and at the present reduced rate of consumption has enough coal in stock to last well into the Autumn. Our own stocks still stand at well over 21m. tonnes.

"I am not threatening anybody - just stating the facts. Facts that should be considered carefully by anyone advocating a strike.

"Mr Scargill said last night that the strike is hurting the National Coal Board. He is right. It is hurting our credibility as a supplier. And that means throwing away the chance of secure jobs for his members."

Press Office (1863)

13 April, 1984

Note of telephone conversation with Mr Stanley
a/4.

AF
1324



File
a coal

10 DOWNING STREET

From the Private Secretary

Question: To ask SS/Defence if his Dept
has made specific preparation for
military aid to be civilian power in
connection with the current dispute in the
coal mining industry.

Answer: No such preparations have been
made [The only assistance has been in
providing accommodation for police personnel
from the area]

Note: On advice from RTA, MOD
dropped []. The question refers to
"military aid to be civilian power". This
is a term of art implying direct involvement
of servicemen. There are existing contingency
plans for maintenance of essential services
which do involve use of servicemen but these
have not been modified in light of current
dispute and are hence not referred to in the
answer.

SECRET

P.01270

PRIME MINISTER

Coal: MISC101(84)10th Meeting

After the usual reports about the situation on the ground, you will wish to concentrate on assessing the implications of the NUM National Executive's decision to call a Special Delegate Conference for Thursday 19 April and to seek approval from the Conference to reduce the majority required under NUM rules to authorise strike action from 55 per cent to a simple majority.

2. Apparently the position under the NUM Rule Book is that Special Delegate Conferences, like the Annual Conference, can change the rules subject to:

- a two-thirds majority;
- areas having been given time to consider proposals and to vote on them.

3. You may wish to pursue the following points:

- i. What is the position under the NUM's rules?
- ii. Is it likely that any area will wish, or be able, to challenge the rule change next Thursday on the grounds that there has been insufficient time to consider the proposal and vote on it?

See attached note

SECRET

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iii. What are the prospects of a two-thirds majority for the rule change?

(Mr Scargill failed to secure the necessary majority for this rule change at the Annual Conference after he was elected.)

iv. If the rule change is adopted how soon will there be a national ballot, and what is the present assessment of its likely result?

(The 54 per cent majority in support of strike action in the NACODS ballot does not bode well.)

v. Whether or not the rule change is adopted, what other steps are likely to be taken at the Conference to bring pressure on the non-strike areas?

vi. In the light of all the above, what can the NCB and the Government do to influence the outcome of the Conference?

Further meetings

4. You will probably wish to have a further meeting on Monday before you leave for Portugal. Since Mr Walker goes away at the weekend for the duration of the Recess, it will be necessary to establish which Energy Minister will be attending Monday's meeting and will be responsible for the miners' dispute while Mr Walker is abroad. You may also wish the Lord President to chair a meeting of MISC 101 in your absence on Wednesday 18 April.

PLG

P L GREGSON

12 April 1984

2

SECRET

COAL DISPUTE - NUM EXECUTIVE DECISION

The meeting of the National Executive Committee of the NUM in Sheffield this morning called for a Special Delegate Conference to be held on 19 April.

A call for a national ballot by moderate members was ruled out of order, presumably on the basis of Rule 43 of the NUM rule book by which national strike action must be proposed before a ballot can be held; it is likely that the moderates made a direct call for a ballot and thus fell foul of a technicality.

Mr Scargill has said that, at the Delegate Conference he will seek a change in the rules to bring the required majority necessary for national strike action below its present 55%. Rule 44(ii) - copy attached - would permit a Delegate Conference to change the rules in this way, providing the necessary two thirds majority was achieved.

12 April 1984

ms

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London and Welshpool
G24894

NATIONAL UNION
OF MINeworkERS

RULES,
MODEL RULES,
STANDING ORDERS

1978

NATIONAL ACTION

43. — In the event of national action being proposed by the Union in pursuance of any of the objects of the Union, the following provision shall apply:—

That a national strike shall only be entered upon as the result of a ballot vote of the members taken in pursuance of a resolution of Conference, and a strike shall not be declared unless 55 per cent of those voting in the ballot vote in favour of such a strike. If a ballot vote be taken during the time a strike is in progress, a vote of 55 per cent of those taking part in the ballot shall be necessary to continue the strike.

If a ballot vote be taken during the time a stoppage is in progress, such stoppage may not be continued unless 55 per cent of those voting in the ballot vote in favour of continuance.

ALTERATIONS AND ADDITIONS TO RULES

44. — No alterations or additions to these Rules (or to the Rules for the Political Fund or for the Administration thereof) can be made except (i) by a decision of not less than a two-thirds majority vote taken at the Annual Conference, and then only after the proposed alterations or additions have been placed upon the Agenda of the Annual Conference by an Area Organisation or the National Executive Committee in time for them to be discussed and voted upon by the Area Organisations prior to the Annual Conference; (ii) by a decision of not less than a two-thirds majority vote taken at a Special Conference and then only after the proposed alterations or additions have been placed on the Agenda of such Special Conference by the National Executive Committee in time for them to be discussed and voted upon by the Area Organisations prior to such Conference; (iii) by a regulation or decision made by the National Executive Committee in exercising their power to make alterations in the schedule hereto.

INSPECTION OF BOOKS

45. — Any member or any person having an interest in the funds of the Union shall at all reasonable times be entitled to inspect the books of the Union and names of the members at the registered office of the Union, provided always that the National Executive Committee may resolve, if in their opinion it is desirable to do so for the purposes of the annual audit or other investigation by the Auditors of the books, that the books of the Union shall not be so available for inspection for any or times not exceeding in the whole thirty days in each year.

DISSOLUTION OF UNION

46. — The Union may be dissolved with the consent of four-fifths of the members, ascertained by ballot vote, taken in pursuance of a resolution of Conference. In the event of the dissolution of the Union notice shall be given to the Registrar in form prescribed by law.

POLITICAL FUND

47. — (1) The objects of the National Union of Mineworkers shall include the furtherance of the political objects to which section 3 of the Trade Union Act, 1913, applies, that is to say, the expenditure of money:—

- (a) on the payment of any expenses incurred either directly or indirectly by a candidate or prospective candidate for election to Parliament or to any public office, before, during, or after the election in connection with his or her candidature or election; or
- (b) on the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
- (c) on the maintenance of any person who is a member of Parliament or who holds a public office; or
- (d) in connection with the registration of electors or the selection of a candidate for Parliament or any public office; or
- (e) on the holding of political meetings of any kind, or on the distribution of political literature or political documents of any kind, unless the main purpose of the meetings or of the distribution of the literature or documents is the furtherance of statutory objects within the meaning of the Act, that is to say, the regulation of the relations between workers and masters, or between workers and workers, or between masters and masters, or the imposing of restrictive conditions on the conduct of any trade or business, and also the provision of benefits to members.

The expression "public office" in this rule means the office of member of any county, county borough, district, or parish council, or board of guardians, or of any public body who have power to raise money, either directly or indirectly, by means of a rate.

(2) Any payments in the furtherance of such political objects shall be made out of a separate fund (hereinafter called the political fund of the Union).

NCB

Public Relations

1. ~~IF~~
2. CF

Prime Minister ②
A useful quantity of
material.

National Coal Board
Hobart House, Grosvenor Place
London SW1X 7AE
Telephone: 01-235 2020

AT 10/4

EMBARGO: Please do not publish before 14.00 hours Tuesday April 10, 1984

"NO JUSTIFICATION FOR HARDSHIP AND DISRUPTION"

NCB Chairman on the Facts about the Coal Dispute

MS

The National Coal Board's proposals for re-structuring the industry were designed to correct the imbalance between supply and demand, said the Chairman, Ian MacGregor, at an Institute of Energy lunch in London today (Tuesday).

About half the surplus had been removed in the financial year just ended without one man being made compulsorily redundant. A similar adjustment this year, amounting to a reduction of about four per cent in the industry's capacity, would mean that 12 months from now the business would be in a stable condition for the first time in many years. Expansion could then match increases in demand as they occurred. Since UK demand for primary energy had at last stopped falling, there were good prospects of that.

The Board intended that when pits closed every man who wanted to stay in the industry would be offered another job. Those who chose to leave would do so on terms better than those available to any other industrial workers in Britain.

Members of trade unions who were being asked to act in support of the miners should bear those facts in mind.

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There was no justification for the coal industry dispute, which was by no means unanimously backed by all mineworkers, becoming the cause of widespread hardship and disruption.

Leaders of the National Union of Mineworkers were making a number of misleading claims that did not stand up to factual examination.

It had been repeatedly argued that Britain produced the cheapest deep-mined coal in the world. If that were true there would be no problems in the industry. The facts were very different. On average British coal costs about £46 a tonne at the pithead. For coal of comparable quality the price in New South Wales would be between £16 and £19 a tonne and in the Appalachians, USA, between £23 and £27. The Board still had not seen any evidence to support the Union's claim. All the facts showed that even after the Australian and American coal has been delivered into Western Europe, it still cost a good deal less than the price of British coal before it left the pithead. It was claimed that these imports were being subsidised. Nothing could be further from the truth. The producers in both countries make substantial tax payments to their Governments.

The NCB had been accused of butchering the industry and running it down. In fact they were investing more than £2m. a day in new mines and modernising existing capacity. No other British industry has had such a sustained investment programme with £4,500m. worth of capital projects in the last ten years.

The Union argued that the Government should provide bigger subsidies and that it was wrong to close any pit where there are reserves of coal to be worked. Presumably the taxpayer was expected to pay the cost of piling up more and more coal at the pithead which was too expensive ever to find a customer.

There was no job security in subsidies. Governments could withdraw their subventions at any time. That was already happening in Western Europe. There was a retreat from subsidies. The coal and steel industries were now contracting fast, with job losses on a scale far greater than in the UK.

The NUM had been operating an overtime ban for 19 weeks and a full stoppage in some coalfields for four. Yet the NCB still had well over 2lm. tonnes of coal in stock and the electricity authorities more than in any previous year: enough to last for six months, at current rates of consumption.

The Coal Board's aim was to make the industry a cost-effective producer. That was by no means an unattainable objective. An important share of NCB coal output was already being produced at a price the customer was willing to pay. Continued investment must be directed to creating more low-cost capacity.

Elimination of a comparatively small amount of capacity that was hopelessly expensive and could never make a contribution, in spite of the dedication and skill of the managers and men working there, would have a favourable effect on the industry's finances.

The industry would then be able to provide well-paid jobs with real security.

The tragedy of the present dispute was that it was setting back the industry's recovery at a time when everybody involved in it should be concentrating on securing new markets for coal and maintaining the loyalty of the industry's present customers.

Press Office (1860)

April 10, 1984

PRIME MINISTER

INDUSTRY AND COAL STOCKS

I have discussed the annex on the coal dispute with Mr. Tebbit's office. They accept that the language of paragraph 6 is inflated. They estimate that, on average, industry held about six weeks' stock at the start of the dispute. Supplies are getting through at about half the normal rate. This will provide endurance for 12 weeks of which four weeks have gone, leaving a further eight to go. But stocks are distributed unevenly and as time goes by more companies will get into difficulties. So far this has been confined to one or two small foundries and NCB have been able to get coal through to those in need. There will come a point where the number of companies reducing production or shutting down begins to rise, and as stocks of supplies, e.g. for castings, dwindle, there is subsequently a knock-on effect. Mr. Tebbit has been briefed to discuss this more fully at MISC 101 tomorrow.

Duty Clerk
A.P.
ANDREW TURNBULL

10 April 1984



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PRIME MINISTER

Coal: MISC 101(84)9th Meeting

You will wish to stick to the normal format:

reports;
discussion;
action to be taken.

2. Subject to developments by the time of the meeting you may wish to pursue the following points in particular:

i. any change in the number of pits and miners working;

ii. any problems over law and order;

iii. the extent and effectiveness of sympathetic action by the rail unions, TGWU and seamen;
(the movement of coal by rail appears to be much reduced since the weekend; it would be useful to know whether there is any danger that some of the Nottinghamshire pits may run out of room to store the coal that they are producing)

iv. the latest information about the effects on the steel industry and other main coal using industries;

v. an assessment of the domestic coal supply position;
(there have been press reports suggesting that difficulties are beginning to arise in the North of England)

Mr Tebbat has been briefed to give a full account of stocks in industry.

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Next meeting

3. There will be an opportunity for a brief discussion under the Industrial Affairs item at Thursday's Cabinet, but the outcome of the NUM National Executive meeting is unlikely to be known until after that. Although there might be a case for a meeting on Friday to discuss the National Executive's decision, it may be more sensible to stick to the normal pattern of a Monday meeting. This would give you the opportunity to review the situation before leaving for Portugal, and would enable the Group to discuss not just the National Executive's decision but the subsequent reactions to it.

PLG

P L GREGSON

10 April 1984

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Members' Brief

1. THE COAL INDUSTRY

No. 10
12th April 1984

Action is needed now in order to put the coal industry on a secure, long-term basis so that it can continue to make its full contribution to Britain's energy requirements.

Losses. In 1982-3 the National Coal Board lost £111 million, despite grants of £520 million (and in the current year total grants of over £1 billion are being provided). During the last full year, the worst 20 pits produced coal costing £89 per tonne (as compared with £28 per tonne at the best 20 pits).

Labour's Plan for Coal, published in 1974, began the process of modernisation and reform. With the full support of the National Coal Board and the National Union of Mineworkers, it proposed major increases in investment of £600 million per year at 1974 prices; new capacity of 42 million tonnes by 1983-4; productivity increases of 4 per cent a year; and the phasing out of old and inefficient capacity at a rate of 3 to 4 million tonnes per year.

The NCB's Latest Proposals. In March 1984 the NCB Chairman, Mr Ian MacGregor, announced a 12-month plan, designed to reduce production by 4 million tonnes and eliminate some totally uneconomic pits; and reduce manpower from around 186,000 to around 166,000 by means of generous redundancy terms.

The NUM responded to these proposals by calling for an all-out strike, but without making any provision for a national ballot. A second issue - namely pay - has also been used to justify the industrial action.

The pay offer, made last autumn, would raise average wages by 5.2 per cent, thereby keeping them abreast of the inflation rate. Since 1979, they have risen by £65 a week to £164.50 (the highest paid miners receive £179 a week). Furthermore, under this Government, miners' pay has been between 23 per cent and 27 per cent above average earnings in manufacturing industry (as compared with an 18 per cent differential under the last Labour government).

Investment. The Conservative Government has given the clearest possible proof of its commitment to the prosperity of the coal industry by providing record levels of financial support. The investment foreshadowed in the 1974 Plan for Coal has been greatly exceeded. By September 1983 the Government had invested £3.5 billion, completely eclipsing Labour's record: between 1974 and 1979 total investment was £1.47 billion. As Mr Peter Walker, Secretary of State for Energy, has said: "Since 1979 this Tory Government has invested in the coal industry - in capital investment, not losses - £2 million per day" (Blackpool, 12th October 1983).

Pit closures are an inevitable feature of the mining industry since, for well-known geological reasons, no pit lasts for ever. Nevertheless, pits have been closed at a significantly slower rate than was envisaged in the 1974 Plan for Coal. In the period 1974-9, 32 pits were closed; between March 1979 and March 1983, there were another 31 closures. The largest number of pit closures ever carried out took place under the Labour government of 1964-70; altogether it shut over 250 pits with a loss of 200,000 jobs.

The overall aim has been clearly spelt out by Mr MacGregor. Speaking to the Institute of Energy on 10th April 1984, he said that the NCB's latest proposals were designed to correct the imbalance between supply and demand. About half the surplus had been removed last year without one man being made compulsorily redundant. A similar adjustment this year, amounting to about 4 per cent in capacity, would put the coal industry in a stable condition.

2. PAVING THE WAY FOR BETTER LOCAL GOVERNMENT

The Conservative Manifesto in 1983 promised that the Government would abolish the Greater London Council (GLC) and Metropolitan County Councils (MCCs) 'which have been shown to be a wasteful and unnecessary tier of government'.

More Efficient, More Democratic. Unlike the 'shire' counties the Metropolitan County Councils have no proper role. Real savings will come from eliminating an extra tier of administration and ending the duplication of functions between these councils and the districts. More decisions will be put in the hands of the districts, which are closer to the people they serve.

Why a 'Paving Bill' is needed. It is not possible to anticipate the precise arrangements for the abolition of the GLC and MCCs, planned to take place in April 1986, since the Government is still drawing up detailed proposals in the light of the representations received in response to the White Paper, Streamlining the Cities, published in October 1983.

The next elections to the GLC and MCCs would normally take place in May 1985, which would mean councillors serving on these councils for less than 12 months. To prevent this happening, the Local Government (Interim Provisions) Bill has been introduced to enable the elections to be cancelled. The Bill received a Second Reading on 11th April 1984.

When the Bill was published the Secretary of State, Mr Patrick Jenkin, said:

'... this Bill does not prejudice the main issue of abolition. It therefore provides that the elections provisions should not come into force until a Commencement Order has been made. These arrangements will not apply until Parliament has had an opportunity to decide the principle of abolition in the next Session, when the main abolition Bill is presented.'

The Bill also establishes a Staff Commission to supervise the transfer of staff employed by the GLC and Metropolitan County Councils and safeguard their interests; it is desirable that this should start work at an early date.

Options facing the Government. The proposal to abolish the GLC and MCCs in April 1986 means that the Government must either allow the 1985 elections to take place with councillors serving less than a year; or extend the term of the present councillors; or provide for transitional councils comprising members of the borough councils.

No council has ever been elected for a term of less than a year. Opinion on the proposals for abolition has already been tested in the General Election when the Conservative Government was given a mandate to carry out its programme.

There is a precedent for cancelling the elections and extending terms of councils prior to reorganisation. This was done in 1963 when London's local government was completely reorganised. The present proposal to dissolve the upper tier of local government and devolve its functions to the lower tier is different; and the natural way of handling this situation is to form a transitional council from the members of the boroughs and districts which will inherit the GLC's and MCCs' responsibilities.

Previous reorganisations have involved the dissolution of both upper and lower tiers of local government. The Government's plan for the Metropolitan areas is different, since the existing boroughs (or districts) will remain and take on additional duties whilst the upper tier will disappear. The most sensible way of managing the Metropolitan County Councils and the GLC in their final year is thus for them to be composed of people who are about to take over their responsibilities - the councillors from the boroughs and districts. This is what the Government proposes.

The Government's proposals represent the most effective, economical and practical way of managing these councils in their final year.

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ABC/NH/CW/PAC

Coal Industry Dispute (Police Operations)

3.51 pm

Mr. Allen McKay (Barnsley, West and Penistone): I beg to move, That this House do now adjourn.

Leave having been given on Monday 9 April under Standing Order No. 10 to discuss:

The implications for civil liberties and the rule of law of policing operations connected with the current mining dispute.

Mr. Speaker: Before the hon. Member proceeds, I must tell the House that no fewer than 27 right hon. and hon. Members have already indicated their wish to take part in this important debate, and there may be others who wish to take part. I hope that this will be a day on which Privy Councillors will set an example to Back Benchers by making brief contributions.

Mr. McKay: This is a short but important debate, and now that I know how many hon. Members wish to take part, I shall not detain the House for long. I am sure that, in addition to my hon. Friends, Conservative Members will be anxious to take part to put forward their views and those of their constituents.

I stress at the outset that this debate is not, and has not been initiated as, an attack on the police. Far from it. It is about the new and heavy method of policing that has crept in and which our constituents continually report to us is taking place, in particular by what appears to be a section of the police in specific areas.

Not all pickets have made such complaints. Indeed, some have praised the police and the policing and have said that they have received a good deal of help from police forces in some areas. It has been reported to me that, by and large, those policemen are from the localities, from Yorkshire and Nottinghamshire. Indeed, in one instance, where the relationship between police and pickets has been extremely good, the pickets were warned by the sergeant in charge of the police contingent that "the heavy squad are coming," as he put it, and he told the pickets to be on their best behaviour. He advised them that it would probably be best if they moved out of the locality and returned later. They did what he suggested.

Conservative Members should not mistake the freedom that we have to discuss policing methods, and even to complain about those methods, as an attack on the police. They should also remember that many people on the picket lines have never before seen so many policemen together in one place at one time. They should bear in mind also that many of those who comprise the picket force come from small mining villages and that they probably have very good relationships with the local bobby, perhaps, generally speaking, the only bobby they ever see. They are frightened by the show of force, and they react to that situation.

These men are demonstrating, in the only way they know, against the possible loss of their livelihood, of their wages. They have only this one means of keeping a roof over their heads, and their families.

I regret very much the need for this debate, because the police should never have been involved in the way that they have. The Government were warned what would happen when they decided to bring the law into the sphere of industrial relations.

Mr. Robert Adley (Christchurch) *rose*—

Hon. Members: Sit down.

Mr. McKay: The Government were warned time and again of the erosion of civil liberties as they pressed ahead with the Trade Union Bill, the Police and Criminal Evidence Bill, various employment protection measures, the Data Protection Bill and immigration legislation. We have seen what happens when the courts and the law are involved in industrial relations. I have never condoned violence or violent intimidation in any shape or form. I condemn it wherever it occurs, no matter which side uses it. People react if flashpoints are created.

I accept that the police have a difficult job. They have a hard role to play, and at times they find themselves in the middle, receiving abuse from both sides. As my right hon. Friend the Member for Mansfield (Mr. Concannon) said in an earlier debate, minorities have rights. I wholeheartedly agree with my right hon. Friend. There have been problems. I am sure that the sympathies of all hon. Members will go out to all who have been injured or killed on picket lines and to their families. One of the members of the British Association of Colliery Management was killed at work while undertaking safety measures during this incident.

However difficult their job, the police are professionals. They are skilled and trained. The public expect the police to be even-handed and to impose the law sensibly and sensitively. After this incident is over—I stress this point—we must live together again. Serious allegations have been made about police tactics and methods. If those allegations are true, they raise serious issues. Is it relevant or irrelevant to ask political questions about this matter? Is it right that our constituents should be handcuffed, photographed, fingerprinted and placed in cells? Those men are not common criminals. They are not bank robbers, but good honest men. The chairman of a tribunal to which I had to go said that those men are the salt of the earth. They should be better treated. It is no joke for those men, sitting in a police van waiting for transport, to hear the remark, "It is not full. Hold it up for a while, while we go back and get some more."

I have been given permission to state some of the names of people involved in this matter. Geoff Sellars, to whom I previously referred, phoned me expressing feelings not of anger but of regret. He is a person known for his level-headedness, and is certainly not easy to rile. He just wants to get on with his work. He is appalled at the unnecessary heavy handling, which he believes has inflamed an already delicate position. He told me that the picket line asked the police, "Can you let three people go in to talk to the men involved?" That request was refused. Verbal abuse was thrown by the crowd at the people going through the picket lines. The police said, "If you do not shut up, we shall arrest the lot of you for shouting."

To add insult to injury, when the picket line was attacked by people coming from a public house and throwing half-pint and pint glasses, little action was taken against the offenders. Can one doubt that the incident was inflamed? The result is that Geoff Sellars returned to the police a commendation he received a few years ago for his assistance in helping a police sergeant who was being violently abused by a number of youths.

Barry Drury, a former special constable, was stopped on approaching a colliery. Because of his experience in the special constabulary, he told the police that he wished to proceed peacefully to picket peacefully and that he wanted

[Mr. McKay]

no problems. Again, freedom of movement was curtailed. Barry produced his driving licence for identification, and it was checked. When the policeman came back, Barry was told, "You will not be able to proceed any further. You must not come into Nottingham again. If you do, your car will be impounded and you will be arrested." That order is now on the police files.

Dave Stubbs, when doing his picket duty, suffered an angina attack. Permission to take him into the ambulance room and into hospital for medical attention was refused until the colliery manager came to ask for permission.

Mr. R. Glover was sent on a picket line at Linby colliery. He was changing a wheel because of a puncture when a patrol car came up and the police asked him to go back. They said that he could not proceed to that colliery. Mr. Glover said that he would go to another colliery. He was asked for its name and said, "I am sorry, I am not telling you that." When Mr. Glover and his passengers arrived at the colliery they found that there were only five policemen and no pickets. They went across and said, "Good morning," to the police and were shuffled on to the causeway so that they would not obstruct the highway. That is the reason the policemen gave them.

The first line of men coming to work said that they would not cross the picket line. The police came across to the pickets immediately and shuffled them down the road in the opposite direction to their car. Mr. Glover alleged that he felt a blow on his back. He protested and said that he already had an injury to his back. He received another blow. He was then summoned for obstruction and taken to the police station.

Four people have given evidence of incidents. Is not the stopping of men 100 miles away from their destination, on the assumption that they will commit a breach of the peace, an unacceptable erosion of civil liberties? It is a dangerous precedent. Who will be next? Will we have football supporters—[HON. MEMBERS: "Yes."] I hear "Yes." That shows that some hon. Members want an increase in the curtailment of freedom. Do we stop the National Front marching in sensitive areas? Do we stop gangs of motor cyclists moving into Brighton and Southend? They may be stopped; but they are allowed eventually to proceed.

Mr. Adley rose—

Mr. McKay: Do we stop football hooligans from going abroad? Are they next in line? The Parliamentary Under-Secretary of State for the Environment with responsibility for sport said that we could not take away football hooligans' transport, refuse to sell them tickets, or prevent them travelling, because they had not committed offences.

Why do we stop the miners, therefore, who have not committed offences? Are we seeing the beginning of a national police force? Let us consider the abolition of the metropolitan counties. Police were under the control of the watch committees and then they went under the control of the counties. Who will control police forces when the metropolitan counties are abolished? Will it be a quango? What happened to the elected water authorities? Those elected bodies became selected bodies. Are we in danger of having a body selected by the Secretary of State to be in charge of the police? Those are some of the matters worrying many of my constituents.

It is not just Members of Parliament who are worried. I shall quote from an article in *The Guardian* which states

"Mr. Leon Brittan, the Home Secretary, is apparently outraged by Opposition criticism of the police role in the pit dispute. Such critics, he claimed last weekend, are trying to shake public confidence in the police and the rule of law."

That is entirely wrong. The article continues:

"If public confidence has been shaken, however, it is more likely to have occurred as a result of the behaviour of the police themselves rather than the comments of their critics."

The article outlines some of the incidents which will be mentioned by my right hon. and hon. Friends.

I conclude by asking a number of questions. Who appointed the chief constable to work at New Scotland Yard? From where does he derive his authority? To whom is he accountable and responsible? Did the chief constables of the areas to which the reinforcements have gone ask for them or were they imposed upon them? How will the costs of the extra policing be met? The Association of Metropolitan Authorities is worried about the cost of the police. In a document it says:

"There are, of course, other serious implications arising from the scale and nature of the exercise that we will need to discuss at our Committee next week. We will need to exchange information about communications between the national co-ordinators and the police authorities and the effect of the events of the past few weeks on police/public relations. Our sole interest is maintaining the efficiency and good name of the forces serving the areas we represent."

We say "Amen," to that.

It would appear that by exercising extra powers there is a change in policing. None of those changes have been debated or decided by Parliament and nothing seems to be accountable to Parliament. That is why I asked for, and am grateful to have been given, this debate.

4.4 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): What has been happening in the miners' dispute over the past few weeks undoubtedly raises some fundamental questions about the rule of law in our society and means of enforcing it. It graphically illustrates the resolution invariably needed in a democracy, although by no means always actually displayed in democracies, if physical coercion is to be resisted, but that is not why we are debating this aspect of the current dispute.

We are debating it because the Opposition have been completely unable or unwilling to express any coherent view about the real issues that we face today, and have instead sought to divert attention from their own disunity and paralysis by flinging mud at the police. Today they are not even doing so in a very courageous way. After publicly huffing and puffing for days about their intentions, they finally stood back and sent the hon. Member for Barnsley, West and Penistone (Mr. McKay) in to bat for them. He has expressed what those who know him realise, in his case, are genuine anxieties about aspects of police operations. He has referred to a number of incidents. I want to give him this assurance. All complaints put forward about police officers' actions, whoever makes them and with whatever motive, will be recorded and investigated as required by law.

The outcome of each investigation will, as necessary, be subject to the independent scrutiny of the Director of Public Prosecutions and the Police Complaints Board on the criminal and disciplinary aspects respectively. There are no special formalities involved in making complaints

against the police. Of course, many people are content to make general allegations but are reluctant, for whatever reason, to formulate specific complaints. Up to 8 April inclusive, the total number of complaints against police received by chief constables was 19 in an operation going on for weeks and involving at times 7,000 extra policemen.

The police have everything to gain and nothing to lose from the proper scrutiny of their activities.

Mr. Dennis Skinner (Bolsover) *rose*—

Mr. Brittan: They are in no sense above the law and have no wish to be. They are the servants of the law and our principal bastion against those, whoever they may be, who seek by force to impose their will on their fellow citizens.

Mr. Joseph Ashton (Bassetlaw): If 800 miners are arrested and put before the court, that immediately makes the matter sub judice. If they are never brought to trial, that puts them in limbo. How can they then make a complaint against the police?

Mr. Brittan: I happily assure the hon. Gentleman that that is no obstacle to their making complaints against the police.

It is right to consider what the Opposition have firmly sought to obscure—the circumstances which have given rise to the current heavy level of policing, about which the hon. Member for Barnsley, West and Penistone has understandably expressed anxiety. Let us be clear about one thing; any responsible citizen must view with profound regret the fact that such policing is necessary. No one wants it—not the Government, not the police and not the public. Its purpose is not to jeopardise civil liberties but to protect them.

Let us remember what led to the present police action. It is so easy to forget the events at Ollerton some weeks ago. No one can now doubt the desire of the Nottinghamshire miners to carry on working. At Ollerton on the night of 13-14 March 500 pickets arrived at the pit. There were violent scenes and, as a result, only a handful of miners were able to cross the picket line. Three policemen were injured. Violent scenes were repeated on the following evening. What happened at Ollerton was appalling and unacceptable. What would the House have said if the Home Secretary had failed to give the police his full backing for stopping such intimidation? What would the public have thought of their civil liberties if the police had allowed that intimidation to continue? What happened at Ollerton is in no way untypical of what can occur if picketing gets out of hand.

Yesterday about 2,000 Yorkshire pickets arrived at Babbington colliery in Nottinghamshire. There were only 20 police officers there at the time; 119 workers were due to go into work and they were faced with 2,000 pickets. Police reinforcements were called and the entrance to the colliery was cleared. Attempts were then made by the pickets to break through the cordon. Stones were thrown. Eighty-eight arrests were made, but 113 out of 119 men were able as a result of the police presence to go to work as they wished.

At Cresswell in Derbyshire yesterday morning there were 900 pickets and 400 police. A concerted but unsuccessful attempt was made to break through the cordon; 147 men expressed their wish to work and went

in to work. By the late evening the number of pickets at Cresswell was between 1,000 and 1,200. The objective of the pickets was to block the two main entrances to the colliery. While this was going on, up to 200 other pickets were roaming the village. The police are currently investigating a series of complaints that the doors of miners' houses were marked with paint, that five cars were deliberately scraped, that nails were placed on the public road and that bricks and other missiles were thrown as miners were entering the colliery.

This was not an isolated incident. At other places over the past few weeks private cars owned by miners going to work have had their tyres slashed, windscreens smashed and paintwork scratched. Stones, bricks and bottles have been thrown. Nails have been put down on the roadway. Colliery entrances have been obstructed with concrete blocks. Miners not on strike have had the windows of their houses broken and the houses daubed.

At Siverdale colliery this very morning nails were welded together to form star-shaped objects which were then thrown on the roadway into the path of police horses.

There is nobody in the country today who can have the slightest doubt of the clear intent of the militant miners' leaders.

Mr. Skinner *rose*—

Mr. Brittan: It was to avoid a national ballot at all costs and to bring about the closure of the whole coalfield by picketing in such numbers, accompanied by such intimidation, that most people who wanted to go to work would not dare to try and those who dared would be physically prevented from getting there.

In 1975 Arthur Scargill explained it all. Writing about the 1974 miners' strike, he said

"The only worry I had was that the T & G were not recognising our picket lines in two places and arguing that they had contractual arrangements with the firms concerned. My retort was that they had a contractual arrangement far above that, they had a contractual arrangement with the working class and if they didn't honour that contractual arrangement we'd make sure, physically, that they did. For we would have thrown the lorries and everything else into the dyke."

Mr. Skinner: The Minister has made a number of allegations about what happened at Silverdale this morning. Is it not clear from the very keen observations of miners, and thankfully the one video that has been shown, that many police under-cover agents are infiltrating the picket lines? Therefore, what evidence has he that all the misdemeanours that he referred to have not been carried out—[*Interruption.*]—

Mr. Speaker: Order. Has the hon. Gentleman finished?

Mr. Skinner: No, Sir.

Mr. Speaker: The hon. Gentleman must not make a speech. He should finish his question.

Mr. Skinner: I shall, when the Tory hooligans have stopped baying. What evidence does the Minister have to show that any of the things to which he referred have been done by miners? As Home Secretary he should be ashamed of himself for using the smear tactics that he has just used.

Mr. Brittan: If the hon. Gentleman seriously believes that policemen were throwing obstacles under the hooves of police horses, he lives in an even greater world of fantasy than I expected.

[Mr. Brittan]

There is no doubt that in the early days of the dispute intimidation seemed to be likely to pay off. A prominent leader of the Nottingham National Union of Mineworkers was reported to have said, after the Nottingham NUM executive ordered the miners to strike briefly until its ballot had been completed:

"The Yorkshire pickets won the day by intimidation . . . We did not want a blood bath."

There can also be no doubt of the firm and settled desire of thousands of miners in Nottinghamshire and elsewhere to carry on going to work. Faced with the clear intent of the militants to bring all pits to a standstill by force and the equally clear desire of thousands of miners to go on working, the country had a clear choice, and still has that clear choice: either to allow the Notts coalfield and many others pits to be closed by force, or to take firm action to uphold the rule of law and to allow workers who want to go to work to do so.

I believe that in a democratic society governed by the rule of law there could be only one answer. If one group of workers could impose physically its will on others and prevent them by force from exercising their lawful right to go to their workplace, freedom would have become a dead letter in the land.

The House is entitled to ask the Opposition a question which they have never answered: do they accept that right to go to work or not? If they do not, or are in any way equivocal about it, they are saying that physical power should triumph over individual rights. To say that is to advocate anarchy and to betray democracy. If they do not say that, then the only question becomes a practical one: how are the rule of law and the right to go to one's workplace to be upheld?

Of one thing there can be no doubt. If pickets are allowed to assemble in large numbers intimidation is likely. The purpose of peaceful picketing is to communicate and persuade. Can anyone seriously think that if hundreds of pickets congregate at a pit entrance and try to block it they are doing so simply to engage in peaceful persuasion? Why are hundreds of people needed for that purpose?

Mr. Michael Welsh (Doncaster, North) *rose*—

Mr. Brittan: The Attorney-General has stated clearly in a written answer what the law is:

"If pickets by sheer numbers seek to stop people going to work, they are not protected by the law since their purpose is to obstruct rather than persuade."

Mr. Welsh: I understand that the point the Home Secretary is making about mass picketing. He was implying that there is nothing wrong with peaceful picketing. I visited a picket line a week ago last Thursday, and the police would not allow a peaceful picket of six. The rest would have withdrawn and gone home to bed. I visited three different pickets where conditions were the same. I asked the police if they would allow just four pickets and told them that I would ask the rest to go home. I wanted just four pickets to stand there and speak to the Nottinghamshire miners, but the police said that none of them would be allowed to stand there.

Mr. Brittan: If the hon. Member considers that the restraints imposed by the police on the number of pickets were excessive in any case, he is entitled to make that

complaint in the courts in the usual way. The courts will determine that issue on the basis of the evidence before them in the case. One thing that is clear from the examples that I have given is that the prospect of mass intimidation was almost inevitably likely to lead to violence. The evidence is overwhelming that that is the case. There is a duty on the part of the police—not just a right but a positive duty—to ensure that those who want to go to work can do so.

That raises a second question. If mass picketing is inherently likely to cause violence, how is the number of pickets to be kept down to prevent such intimidation? If the police allow large numbers to assemble and then try to control them, let alone disperse them, violence and bloodshed are bound to ensue.

Let us not forget that in 1972 it was numbers alone that forced the closure of Saltley coke depot. If the police are to prevent vast numbers building up and creating intimidation in that way, they have to use the pre-emptive powers which, as the Attorney-General has made clear, they have under the common law to prevent a breach of the peace. As he said, "there is no doubt that if a constable reasonably comes to the conclusion that persons are travelling for the purpose of taking part in a picket in circumstances where there is likely to be a breach of the peace, he has the power at common law to call upon them not to continue their journey and to call upon their driver to take them no further." — [Official Report, 16 March 1984; Vol. 56, c. 279-80.]

Mr. John Morris (Aberavon): Has it not also been said by the courts that the reasonable belief that the constable must have is that a breach of the peace is imminent?

Mr. Brittan: It is indeed the case that the courts have said that the constable must have a reasonable belief that there is likely to be a breach of the peace. If in any case the person who is challenged thinks that that belief is unreasonable, he can take the matter to court and test it there. What is more, that argument was put plainly before the court when there was a complaint about what happened at Dartford tunnel, and the court did not grant an injunction in those circumstances.

Mr. John Morris: The Home Secretary must know well that in the Dartford case there was an application for an injunction. That is a discretionary remedy. The main action has to be pursued in the future. It is a wholly different matter.

Mr. Brittan: The hon. and learned Gentleman is quite right, and the court decided not to exercise its discretion.

By preventing coachloads and carloads of pickets from gathering in huge numbers—and only by doing that—the police have been able to ensure that those who wish to work can continue to do so. It is, of course, disgraceful that that should have to happen. Of course, it is bound to mean disrupting ordinary traffic. But there can be no doubt that if that were not done the ugly intimidation that we saw only yesterday and today would achieve its unlawful purpose within a matter of a few short hours.

The truth is that the action of the police has been remarkably successful. All miners who want to go to work have been able to do so. When I made my statement to the House on 15 March, in the wake of events at Ollerton, only 29 pits were working normally, and the plan was for them to fall one by one like dominoes. Now 46 pits are working normally because those working at them want to carry on working.

The police have performed a difficult task in difficult circumstances. They deserve the gratitude and admiration of this House and the whole country.

Mr. Robert Atkins (Ribble, South): Has my right hon. and learned Friend seen *The Guardian* of yesterday, under the byline of its most distinguished political editor, in which the right hon. Member for Manchester, Gorton (Mr. Kaufman) is described as taking a dossier on "heavy policing" to the chief constable of Nottinghamshire, and as having come back saying that his report would be a great deal more favourable than either he or his colleagues expected? As *The Guardian* put it, the right hon. Member "emerged saying that the chief constable had agreed to examine several of the allegations, and conceding that he was clearly acting without political direction of any kind."

Are not the Opposition guilty of some synthetic theatricalism in trying to present the police as not doing their job?

Mr. Brittan: It was not so much a matter of theatricalism as extreme embarrassment.

It is precisely because the police have been so successful in enforcing the right of people who wish to go to work to do so that they have come under attack. Those who were determined to bring the coalfield to a halt by violence were horrified to find that the forces of law and order had proved too much for them. As they could not beat the police, they have sought to discredit them by a campaign of denigration.

None the less, as I said at the outset, if there is any allegation of improper conduct on the part of the police, every such allegation must and will be fully and properly investigated. However, some of the allegations that have been made relate not to specific actions of individual policemen but to police procedures generally.

Reference was made by the hon. Member for Barnsley, West and Penistone, to the arrangements for the communication of information. They were arrangements which had been in operation for years, activated by the president of the Association of Chief Police Officers and not in any sense by me, and providing co-operation sought by one chief constable from his colleagues.

Exception has been taken also to the use of police officers in plain clothes. The purpose of that is simple and wholly legitimate: it is to enable the police to identify those who are engaged in or threatening violence. Officers doing that are in no sense agents provocateurs.

Mr. Geoffrey Lofthouse (Pontefract and Castleford) *rose*—

Mr. Brittan: If there were any suggestion that the officers were actually instigating the commission of an offence, that would be a very different and serious matter which would require careful investigation. No evidence of any such behaviour has been presented to me or to the police.

The central issue before the House is a simple one.

Mr. Lofthouse *rose*—

Mr. Speaker: Order. The Secretary of State is not giving way.

Mr. Brittan: All of us either want the law of the land to be upheld or not. The law of the land is clear. Those who want to go to their workplace have a right to do so and the police have a duty to enable them to get there.

Mr. Lofthouse *rose*—

Mr. Brittan: I have four simple questions to ask the Opposition today. First, do they agree that those who want to go to their workplace have the right to do so? Second, do they deny that mass picketing is intended to take away that right by force? Third, do they think that that right should be upheld? Fourth, if they think it should be upheld, how on earth could it be upheld except by police action of the kind that we have been seeing? The House is entitled to clear answers to those questions.

Ritual and generalised condemnation of violence will not be sufficient. The time for smears and sarcasm is over. It is time to speak up for those whose only sin is to choose to go to their workplace, and for those whose sole duty is to protect them as they do so.

4.26 pm

Mr. Gerald Kaufman (Manchester, Gorton): We welcome the debate — [*Interruption.*] — and I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. McKay) on having obtained it. I congratulate him as well on his impressive speech in introducing the debate. Such an adjective could not be applied to the lamentable contribution that we have just heard from the Home Secretary. [*Interruption.*]

The proper functioning of society depends upon the maintenance of law and order, and the Opposition strongly support the police in the proper use of their powers to uphold law and order. We believe that when men and women wish to go to their workplace they must be free to do so—provided, of course, that Government policies make it possible for them to have a work place to which to go. We believe that if attempts are made forcibly to prevent people from going to work, they have the right to the protection of the police, and the police have the duty to provide that protection. We know that in Nottinghamshire in recent weeks the presence of the police has often been welcomed by local residents.

That is my response to the right hon. and learned Gentleman's challenge to me. Will he join me in condemning any excesses by the police?

If the police have a duty to assist men who wish to go to work, other workers have the right to seek peacefully to persuade their fellows not to go to work. Over recent weeks there has been an attempt to imply that all picketing is somehow wrong. It has been implied, too, that even an intention to join a picket line is evidence of an intention to commit a breach of the peace. Peaceful picketing is a civil right and it is important for our democracy to uphold that right. Those who deny others that right are themselves undermining democracy.

Although under the Employment Act 1980 secondary picketing is potentially a civil wrong, provided it is conducted peacefully it is not a criminal act. Workers have the civil right to take part in secondary picketing providing they are willing to accept the risk of civil action. Many of the difficulties of the past few weeks have arisen because the interpretation by the police of their duties has clashed with the pickets' assertion of their rights—although some of those affected by police action were not even pickets. The power of arrest has been used amply, and no doubt in some cases justifiably. About 800 arrests have taken place. In case after case, the power of arrest has been used excessively.

A witness named Jean Blackburn gave this example:

"I saw Neil Wilkinson of Houghton Main Colliery arrested on the picket line at about 4.30 am on Friday 23 March. He was

[Mr. Gerald Kaufman]

complying with the police instruction that 2/3 people could stand near the gate and speak to Notts miners as they came through for work. His voice was one of the 2/3 which shouted up as a miner went through, and all he said was 'support your union'. He was immediately set upon by two policemen and carted off in the van."

Mr. Eldon Griffiths (Bury St. Edmunds) *rose*—

Mr. Kaufman: I shall give way to an hon. Member who speaks freely and is not paid to say what he says.

Several Hon. Members *rose*—

Mr. Speaker: Order. If the right hon. Member will not give way, hon. Members must not persist.

Mr. Nicholas Fairbairn (Perth and Kinross): On a point of order, Mr. Speaker.

Mr. Speaker: Order. No point of order can arise on what I have just said.

Mr. Fairbairn: On a point of order, Mr. Speaker. If the person cited in the case by the right hon. Gentleman has been charged, it is quite improper to give witness evidence, because the matter is sub judice.

Mr. Eldon Griffiths: On a point of order, Mr. Speaker. The right hon. Member for Manchester, Gorton (Mr. Kaufman), for whom I have some regard, said that he would

"give way to an hon. Member who speaks freely and is not paid to say what he says."

He was referring specifically to my connection with the Police Federation, of which the House and you, Mr. Speaker, well know. Like the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) who was also the spokesman for many years before he became Prime Minister, when I speak—

Mr. Speaker: Order. Will the hon. Gentleman come to the point of order?

Mr. Griffiths: I ask that you, Mr. Speaker, request and require the right hon. Gentleman to withdraw the unparliamentary imputation that when I speak in the House, I do so in any way other than freely and as I judge to be right, without reference to the Police Federation or any other organisation.

Mr. Speaker: I hope that we can continue to debate with calmness, as we have done so far. All hon. Members know of the hon. Gentleman's interest, as it is declared in the Members' Register of Interests. The hon. Gentleman may have the opportunity later to make a speech.

Hon. Members: Withdraw.

Mr. Kaufman: If the helmet fits—

Sir Kenneth Lewis (Stamford and Spalding): On a point of order, Mr. Speaker. The position is becoming serious when an hon. Member who has an interest that he has declared is charged by another Member, because of that interest, with not speaking freely. Hon. Members can speak freely, although they have interests, provided they have declared them.

Mr. Speaker: I shall clear the issue. The right hon. Member for Manchester, Gorton (Mr. Kaufman) will agree that every hon. Gentleman declares his interests in the register and speaks impartially. We should not impute dishonour to each other.

Hon. Members: Withdraw.

Mr. Kaufman: It goes without question that I accept what you say, Mr. Speaker.

I shall continue to give examples that the House should hear. Mr. Steve Golding of 2 Cross street, Langold, Worksop, Notts shouted:

"Ought to be ashamed of yourself for working".

He was arrested at 8 pm—the police refused to say why—and held until 11 am the following day. He was refused a telephone call to his mother and told that that had been taken care of. His mother was knocked up at 3.30 am and told that he was in gaol.

There was the ludicrous but nasty case of the arrests at the Dock and Duck public house in Old Clipstone, Nottinghamshire, involving Mr. Russell Williams of 3 Tennyson road, Bentley, and two others. They went out to picket, but were turned back and then arrested in the pub where they went to play darts. They were taken to the cells, fingerprinted, detained for three hours and then released with apologies from the senior officer.

There have been allegations that some police action has been violent or callous. My hon. Friend the Member for Barsley, West and Penistone referred to the case of Mr. D. Stubbins of Woolley branch who, on 27 March, at Newstead colliery suffered the effects of an angina attack and needed medical treatment. The police officer refused him access to the colliery's medical centre, despite requests from local union officials in Nottingham and the pit manager. Mr. B. Walker, the Newstead branch secretary, and the nursing sister at the colliery can give evidence to that effect. Mr. Stubbins was allowed into the medical centre only after repeated requests from the pit manager.

A few days ago my hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse) and today my hon. Friend the Member for Barnsley, West and Penistone referred to the allegations about political questioning. The men were asked how they voted in the last election, how they would vote if there were only Conservative and Communist parties in the country, for whom they voted as president of the National Union of Mineworkers, how much union subscription they paid, the name of the organiser of the strike centre at Kellingley, what newspapers they read, whether they read the *Morning Star*, and so on. I have the names of 19 men, which I shall readily provide to the House if hon. Members so wish, who were subjected to such questioning.

Pickets and miners who refuse to strike took exception to those tactics. Mr. T. S. Upton of 30 Lawnwood avenue, Elkesley, wrote a letter to the local press. It reads:

"As a mineworker still working at Bevercotes Colliery, I am getting increasingly worried at the activities of the Police force in Nottinghamshire although I respect the right of any member of the public to attend his place of work, and I have been thankful to the Police for getting me through the Pickets when things have got out of hand.

It has got to the situation where we are being issued with identity cards by our union (for our own protection).

I have been stopped by the Police from lawfully talking to the pickets at the colliery entrance when there were only 10 pickets and about 130 police.

On Sunday night whilst travelling on the A1 I was stopped twice and asked to produce identification.

On the Monday afternoon shift I was stopped from going into the colliery premises by some eighty police and was asked to produce identification." They also refused my request to stop and talk to the 'TWO' Pickets who were on the entrance.

This police activity is seen by an increasing number of my workmates, both in my union and the NUM, as being more intimidating than the actions of the 'flying pickets'."

There is a special concern because people who were not pickets and had no intention of picketing have had their freedom of movement violated. Mr. G. D. Hampson of 8 North street, Warsop Vale, describes how he tried to take three friends to Ollerton for job interviews at Mansfield Hosiery Mills, how he was stopped several times by police and eventually not allowed to proceed, how his passengers were not allowed to get out of the car and take a bus or even walk and how, accordingly, they missed their job interviews. Nor was Mr. Hampson allowed to take them another day. As he says in a letter:

"I cannot take them because I have been warned that if I travel that road again either on my own or with passengers during the dispute I will be arrested."

Then there is the case of Father Marshall, the vicar of Goldthorpe parish church. He had gone along with some of his parishioners to see what was happening on the picket line. [Interruption.] I hope that the country will note that Conservative Members laugh at the fact that a priest wanted to see what was happening on a picket line. They were stopped by police on the A1 at Blyth. The driver of the car in which Father Marshall was travelling said to the police, "Do you honestly believe we are going picketing with a priest?" The officer said, "That dog collar does not mean a thing to me. It could be a miner in disguise." It seems that that police officer has seen Joe Orton's "Loot" once too often.

I am not contending that these and many other questionable incidents are the result of a general policy by the chief constable of Nottinghamshire. As may be within the knowledge of the House, I had a 90-minute meeting with the chief constable on Saturday, with my right hon. Friend the Member for Mansfield (Mr. Concannon) and my hon. Friend the Member for Battersea (Mr. Dubs). That meeting was extraordinarily inaccurately reported by *The Guardian*, a newspaper for which I have great regard and for which I like writing, but which ought to ring people to check the facts. I hope that that will not ruin my next assignment.

I thanked the chief constable for the courtesy with which he received my colleagues and myself. When I put to him some of the examples that I have given to the House, he said that he could not rule out that they had happened. There are well over 5,000 police from many forces currently involved in this exercise. Although they are all under Mr. McLachlan's command, they are not all under his control. It is essential that the chief constable exercises firmer control over those men and that they maintain at all times the good name of the police.

One aspect of the policing operation does seem to be a general policy, and a new and questionable policy at that. It is the stopping and in some cases turning back of travellers at great distances from their destinations.

My hon. Friend the Member for South Shields (Dr. Clark) complained about one such incident and was told in a letter from the assistant chief constable of Northumbria:

"The coach was stopped by my officers because, at that time, miners were moving in coaches from various parts of the country towards the Nottinghamshire coalfield, where breaches of the peace had occurred.

The officers anticipated further breaches of the peace occurring if such a group of miners were allowed to continue on their way to Nottinghamshire and it was therefore necessary to seek evidence regarding their destination and intentions."

That was 100 miles away from where they were seeking to go.

There was also the case of the Kent miners who set out to go not to a colliery, but to the Yorkshire miners' headquarters at Barnsley—nearly 200 miles away. They were stopped at the Dartford tunnel, instructed not to proceed, and told that if they did proceed—I have the affidavit—they would be arrested and charged with an offence. They complied, turned away and decided instead to travel by the Blackwall tunnel, which they did without hindrance.

We have the bizarre situation in which miners travelling through the Dartford tunnel are potential criminals, whereas the same miners, with the same intention and the same destination, are pure as the driven snow, provided they go through the Blackwall tunnel.

Mr. Brittan: The right hon. Gentleman will know that he has characteristically given a highly loaded account of that episode. He referred to an affidavit, but he knows that the evidence put forward on behalf of the police is in a contrary sense from what he has put to the House as if it were uncontroverted.

The right hon. Gentleman knows that the evidence put forward by the police, which will be an issue at the trial of this matter, is that there was no stopping of the miners and telling them that they had to go back. They were warned that if they did go on to Nottinghamshire, they might find that they were stopped there.

Mr. Kaufman: Believe it or not, Mr. Speaker, that was intended to be a confutation of what I had just said.

The Home Secretary, in reply to my right hon. and learned Friend the Member for Aberavon (Mr. Morris), referred to the hearing before Mr. Justice McNeill and seemed to suggest that the Kent miners were defeated at that hearing. Far from it. Mr. Justice McNeill declined to rule either way on the point and based his decision on the narrower ground that damages were an adequate remedy. He said that he was not satisfied that the balance of convenience favoured stopping the police action in advance of the damages action. That was as far as he went.

The *New Law Journal* on Friday, referring to the sort of incidents that I have been describing, said:

"There is no doubt that the police action in stopping flying pickets a long way from the scene of any potential breach of the peace breaks new ground. The statement of the Attorney-General supporting the legality of such action must be regarded, in the light of the decided cases, as representing a somewhat optimistic view of what the courts might hold . . . the police . . . cannot claim to be acting in defence of the rule of law, for the law does not guide them to a clear conclusion in these circumstances."

In fact, the Attorney-General seems to have adopted a new attitude, because, after making what was purported to be a definitive statement on picketing law in 1980, he was questioned by the hon. Member for Boothferry (Sir P. Bryan) who asked:

"Will my right hon. and learned Friend explain to the House the position under the law of an individual or organisation that actively organises disorder by assembling pickets by the busload and directed them in such overwhelming numbers to a site that disorder is bound to follow?"

The Attorney-General replied:

"That is a problem to be dealt with by police at the site."
—[*Official Report*, 19 February 1980; Vol. 979, c. 242.]

The Attorney-General said in 1980 that it was a matter for the police on the site. Now he champions the right of the police to take action, possibly hundreds of miles from the site, when the conditions on arrival at the site cannot possibly be known.

[Mr. Kaufman]

My right hon. and learned Friend the Member for Aberavon put it authoritatively—

The Secretary of State for Wales (Mr. Nicholas Edwards): That makes a change.

Mr. Kaufman: My right hon. and learned Friend has a good deal more authority than the Secretary of State for Wales, whose ignorance on any subject is paralleled only by his ignorance on any other subject.

My right hon. and learned Friend the Member for Aberavon said:

"What has highlighted the concern is the stopping of miners many hours, and sometimes even hundreds of miles away from the area they are aiming for with the intention of picketing."

Mr. Martin M. Brandon-Bravo (Nottingham, South) *rose*—

Mr. Kaufman: My right hon. and learned Friend continued:

"How can a police officer believe in those circumstances that travelling miners are likely to be in breach of the peace? The eventual circumstance may be entirely peaceful. There may be no breach of the peace at all. The burden on the police before they activate their powers is that they must have reasonable belief that there is likely to be a breach of the peace. The courts have said that the belief must be that a breach of the peace would be committed in the immediate future by the person arrested. I will be surprised that the test of immediacy could be satisfied in the courts in the case of potential picketers hundreds of miles and several hours away."

Mr. Brandon-Bravo *rose*—

Mr. Roger Gale (Thanet, North) *rose*—

Mr. Kaufman: My right hon. and learned Friend continued:

"The courts have also said that the officers' contemplation, must be based on facts of a real possibility and not a remote possibility that a breach of the peace would be committed. Every case must be decided on the exact facts."

A failure of the law is at the heart of the predicament faced by the police in the dispute. In 1980 the Government put through Parliament an Employment Act that was intended to deal definitively with secondary picketing. It was laid down that where such picketing was alleged to be taking place an employer would have recourse to the courts and be granted an order stopping what was demonstrated to be unlawful picketing. Let it be clear that, under the Employment Act 1980, secondary picketing—

Mr. Tony Marlow (Northampton, North) *rose*—

Mr. Kaufman: —is a potential civil wrong, but not of itself a criminal act.

Last year Mr. Eddie Shah availed himself of that law and the result was turmoil. Since then, employers have been very chary of activating the legislation. The National Coal Board was granted an injunction on 14 March, but, as the *Daily Telegraph* reminds us today, it hurriedly changed its mind and backed away.

The general attitude of employers is that they want nothing to do with the Employment Act. A survey published only yesterday showed that 84 per cent. of management regard any mention by the courts as generally unhelpful to industrial relations. The problem is that, although employers are wary of stepping in, the police have been pitchforked into the gap.

When I met the chief constable of Nottinghamshire on Saturday he told me that his instructions to men were to

permit picketing within the law. However, although secondary picketing may be a wrong under civil law, picketing, whether primary or secondary, is no violation of the criminal law provided that it is not violent, obstructive or intimidatory. Yet there is clear evidence that the police at pit gates are under directions to distinguish between primary and secondary pickets when, under the criminal law, there is no such distinction.

Mr. Brittan: Does the right hon. Gentleman think that the presence of 2,000 pickets at a pit is or is not intimidatory of itself?

Mr. Kaufman: I do not know what is wrong with the right hon. and learned Gentleman. If he had listened to what I just said, he would know that picketing is no violation of criminal law, provided that it is not violent, provided that it is not obstructive and provided that it is not intimidatory.

Mr. Brittan: Will the right hon. Gentleman give way?

Mr. Kaufman: No, I shall not give way.

Mr. Brittan: Will the right hon. Gentleman give way?

Mr. Speaker: Order. The right hon. Member for Manchester, Gorton (Mr. Kaufman) has not given way.

Mr. Kaufman: I shall give way to the Home Secretary.

Mr. Brittan: My question is simply whether the right hon. Gentleman agrees that the presence of 2,000 pickets is bound to be intimidatory?

Mr. Kaufman: I must echo the refrain of the right hon. and learned Gentleman to all of my hon. Friends who intervened by saying that that is a matter for the courts to decide.

Section D of the picketing code of practice issued under the Employment Act 1980, in paragraph 28, categorically states:

"The police have *no* responsibility for enforcing the *civil* law."

The words "no" and "civil" are printed in italics in the code.

The problem is that a civil code has become de facto an adjunct to the criminal law and that de facto the police are enforcing civil law in order to fill a gap caused by the reluctance of employers to use an Act about which they are apprehensive. The police have been placed in an intolerable dilemma. It has led to many actions that I am sure they wish they had not had to take or had not taken. The resulting position was described as follows:

"It does appear to the public that the police have imposed a kind of curfew on the community as a whole, not just the miners, and also that they have restricted free movement.

These features are things we normally only associate with countries behind the Iron Curtain, and I would not wish anyone to feel we are changing the style and pattern of policing in this country."

The writer continued to say that he was worried that the police were getting

"the image of a heavy-handed mob stopping people from going about their lawful duties."

The man who said that was Mr. James Anderton, the chief constable of Greater Manchester, who is not noted to have the softest velvet gloves in the business. The position about which he was concerned arises from Government policies and laws that have been foolishly forced through the House by the Government. But, what do Ministers have to say?

The Minister for State, Home Office—the right hon. Member for Whitney (Mr. Hurd)—put it this way:

“there are individual incidents which may have been dealt with in the right way or in the wrong way.”

With such meticulously selected words, the right hon. Gentleman has demonstrated that his talent lies more in drafting diplomatic notes than being embroiled in the rough world of policing.

The Home Secretary has no such inhibitions. He goes around positively relishing any opportunity that he has to make matters worse. At the weekend he talked about what he called “smears of the week” and sweepingly dismissed the allegations. He asserted that there is no undercover police operation, although he repeated this afternoon that it was wholly legitimate.

This morning I received a report of a Nottinghamshire police sergeant, Mr. R. A. Lake, whose full address I have. It was alleged that Sergeant Lake had been on plain clothes duty in recent weeks posing as a miner. My hon. Friend the Member for Battersea immediately asked the Nottinghamshire police to investigate the allegation on my behalf. The deputy chief constable has admitted that Sergeant Blake was, indeed, on a plain clothes assignment during the relevant period.

The Home Secretary has been playing an irresponsible and inflammatory role. He discredits the high office that he holds, because he and the Prime Minister wish to exploit the present delicate situation for partisan purposes.

The police have a most important role to play in our society in combating the record crime wave. Britain's serious crime has increased by 30 per cent. under this Government. The role of the police is not to act as a surrogate for an Employment Act that has become increasingly inoperable. The position is not of their making, and the solution is not in their hands but in those of the Government.

Mr. Jerry Hayes (Harlow) *rose*—

Mr. Kaufman: The Home Secretary would do well to take to heart the wise words of Mr. Kenneth Oxford, the chief constable of Merseyside, who recently said:

“The traditional system of policing in this country is firmly established on the principle of policing by consent, rather than coercion: police forces are not an arm of the state but servants of the community whose confidence they must secure.”

Among many people today that confidence has been eroded. It is essential that it be re-established. In the end, that can be achieved only by a change of course by the Government who are responsible for this whole sorry mess.

4.59 pm

Mr. Mark Carlisle (Warrington, South): We have all listened to what might be described as a typical speech from the right hon. Member for Manchester, Gorton (Mr. Kaufman). It was a typical speech in what has so far been a somewhat strange debate. We heard it trailed for several days and demanded as a matter of urgency so that we might hear how the police are undermining civil liberties and affecting the rule of law, only to have it opened by the hon. Member for Barnsley, West and Penistone (Mr. McKay) who went out of his way to claim that he was not attempting to attack the police and in whose mouth it might be said that butter could not possibly melt. I must tell him, however, that whatever he might say about his

attitude to the police, the only possible interpretation that can be made of the motion is that the police are undermining civil liberties and the rule of law in Britain.

Today and recently we have heard a succession of complaints about individual incidents of misbehaviour by the police from the right hon. Member for Gorton. Of course I hope that no right hon. or hon. Member would attempt to justify or condone the police if they were shown to have acted beyond their powers, but the right hon. Gentleman knows full well that he should pursue individual complaints with the police and not use unsubstantiated complaints to undermine them.

The motion refers to civil liberties and the rule of law. I remind Opposition Members that Britain imposes on the police a duty to uphold the law and to enable people to exercise their civil liberties. One of those fundamental civil liberties is the freedom to exercise the right to work. It is vital to those who wish to work to be free to do so. If the debate has achieved one thing, it has achieved the right hon. Gentleman's grudging acceptance that that is so. I hope that we can take it from his speech that he condemns what he and the rest of us have seen on the picket lines recently and that he commends the police on their work in allowing people to go to work if that is their wish.

We have witnessed a deliberate and concerted attack by a group of people who have chosen not to work to try to prevent others from going about their lawful duties. If men choose not to strike themselves into what they perceive as the dole queue but rather to work to protect the future of their industry and their jobs, they should be free to do so. It is the duty of the police, acting on our behalf, to see that they have that freedom. The alternative is stark. The only alternative is anarchy and the negation of democracy as we know it.

My right hon. and learned Friend the Home Secretary referred to Saltley power station. I was a junior Minister in the Home Office when it was closed. It was a sad day for Britain. I am glad that, over the years, the police have learnt, through experience, to cope with the problems of picketing, mass picketing and violent picketing. The motion refers to the effect of police operations on civil liberties and the rule of law. It would be disastrous for civil liberties and the rule of law if the police were to fail to preserve the right of people to work.

We heard the right hon. Member for Gorton talk as though the police were interfering with the right of individuals to picket peacefully. Is he really so naive as seriously to believe that that which we have read in the newspapers and seen on the television news recently is merely the manifestation of a desire of people peacefully to persuade others not to go to work? Has he thought for a moment of what happened yesterday, as my right hon. and learned Friend reminded him, at Creswell colliery and at Babbington colliery? Does he really believe that what happened there are examples of attempts to persuade others from going to work by peaceful means? I often wonder why, if it is the police who behave so badly, it is always the poor police who seem to end up with the injuries.

The hon. Member for Barnsley, West and Penistone talked as though something new was happening in Britain. It has for many years been the right of the police to ensure that pickets do not create or threaten breaches of the peace. It has for many years been upheld by the courts that numbers can amount to intimidation. It is abundantly clear

[Mr. Mark Carlisle]

that if people travel to take part in a picket that is likely to be the cause of a breach of the peace, the police have the power to call on them to stop that journey.

Whatever the right hon. Member for Gorton might say, we are not concerned with the law of 1980, or the law of 1982, or the code of conduct, or any changes that have been made. We are concerned with the criminal law, with upholding it and upholding the rules laid down by it on which the freedom of every person in Britain depends. It is that which it is vital that the police defend.

I am sorry that the Leader of the Opposition, who was recently here, has gone, because I debated with him across the Dispatch Boxes for some two and a half years. He was always strong on oratory but rather weak on substance. He was always high on rhetoric but rather lacking in judgment. I believe that, should he ever, regrettably achieve that to which he aspires, he will strongly regret his unwillingness and inability in the past few weeks to condemn what has been seen as going on in the strike and his failure outspokenly to stand up for the right of people to work and their freedom to go to work without intimidation.

5.7 pm

Dr. David Owen (Plymouth, Devonport): As was utterly predictable, this debate has put the police force in the dock here in Parliament. Many people will think it odd that, five weeks into a major dispute, the issue that Parliament debates first is the conduct of the police. It is deplorable that the two Front Benches, conniving as they have throughout the dispute to avoid a debate, have allowed the police to be the focus of this debate.

The speech of the right hon. Member for Manchester, Gorton (Mr. Kaufman) emphasised what I fear many of us have begun to suspect for some time—that the Labour party is now entrenched in a stance of hostility to the police. It would be dangerous and damaging if the polarisation of British politics ever reached the point at which the police could be identified with either of the old political parties. The police are fully aware that it is fundamental that they represent every citizen in the country. If anybody should be in the dock in this debate it should be the president of the National Union of Mineworkers, Mr. Scargill, and Mr. McGahey and, if there is any accomplice to the situation that we face, it is the total silence from the Leader of the Opposition and the hon. Members who speak in the House on this issue for the Labour party. The situation has been going for some time. In January and February 1979 it was not possible to bury the dead in this country. That and some of the other impossible industrial disputes that took place at that time are signs that the Labour party is no longer capable of having a rational discussion about the action of responsible trade unionism, or of irresponsible trade unionism.

It is the right of anyone to picket, of course. The peaceful picket is built into the civil liberties of the country, and we would not be a true and proper democracy if it was not possible for somebody to persuade somebody else to strike. That ought to be clearly and unequivocally stated.

As the debate has revealed, of course the police have made mistakes. It would be a strange thing, with that number of police coming in from different parts of the country, some of them very inexperienced, and, indeed,

some coming from as far away as the Devon and Cornwall constabulary, if they were not to make some mistakes. I do not wish to comment personally, since the case concerning the Dartford tunnel is to some extent still before the courts, but, if it turns out that the police turned away people, rather than confining themselves to warning people that, when they approached the pits up in Nottingham, they might be turned round, I believe that they would have gone way beyond what most people would expect to be a proper use of their powers. I do not think there is much doubt that some policemen have asked questions of miners about their political affiliations that ought not to have been asked. There may be other incidents. The dossier, about which we have heard so much from the right hon. Gentleman the Member for Gorton, may well prove to have some elements of truth in it.

However, the fundamental statement that needs to come out of the House is that, despite intense provocation, hour after hour, day after day, there is no other police force in the world that could have shown such restraint as has been shown around the pits. Without resource to riot equipment or to riot clothing, the police have been able, broadly speaking, to command the respect of everyone. I believe that in most other countries we would have seen a very different picture. The fact is that, if one goes to Nottingham and Derbyshire, one finds a great many miners and miners' families who are grateful to the police for the protection that they have been able to experience over the last few weeks in order for them to be able to work.

I hope that that voice, that word and those sentiments will come from this side of the House. It ought to do so, because there has always been, among many of the mining community, the greatest respect for the police and for the rule of law. We in the SDP have many political contacts and votes in mining constituencies. The Labour party may think that only its members can speak for mining communities, but there are other hon. Members who may catch your eye, Mr. Speaker, who represent mining constituencies, such as the Chief Whip of the Liberal party, and there are Conservative Members who represent mining communities in the House. If it were true that only the Labour party was the authentic voice of the average miner in the country, everybody would be out on strike, no pits would be working and no areas of the NUM would have voted democratically to work. The situation is fraught and tense. One of the difficulties that the police have faced is that they are having to separate out the dispute between miners. They are having to separate out the problems that have arisen on and around the pits, because those who have taken a democratic decision not to vote in Nottingham are being subjected to intimidation, not by miners in their own county, but by miners from across the border in Yorkshire. The problem is that those who asked for area voting have not been prepared to accept the democratic judgment of those areas that decided that they did not wish to strike. It would have been just wrong for the Nottingham miners to go into Yorkshire or for the Yorkshire miners to go into Lancashire.

The Scargill tactic of getting each area to fall like dominoes has effectively worked against itself, and the dominoes have not fallen. When the dominoes did not fall through the democratic process, they had to achieve a breakthrough by intimidation. The only obstacle to achieving a breakthrough by intimidation has been the

police force. It is the police force that is now up front, and where is the Leader of the Opposition, and what has he been saying over these last few weeks? If ever I saw a pitiful example of leadership, it is that represented by the Leader of the Opposition.

I say this to the Prime Minister. Last night she spoke on television. Why does she not come to the House, and why does she not listen to a single part of this debate?

Mr. Orme: Where were you last week?

Dr. Owen: It would have been a good thing for the House if the Prime Minister and the Leader of the House had listened to the debate, and heard the kind of debate into which it has inevitably developed.

The most serious problem that has been raised by the strike is whether we are moving towards a new type of policing. In the organisation of the police, which has had to call on resources from many different police forces, are there the beginnings of a national police force? I believe that many hon. Members would profoundly object to any move towards a national police force.

I spent this morning talking to the chief constable who is the president of the Association of Chief Police Officers, and who is in charge of the national reporting centre, to which the right hon. Gentleman the Member for Gorton referred. The more I look at the way that the centre operates, the more I believe that it does not represent a move towards a national police force. Indeed, I think that, if the centre did not exist, when the country is faced with crises such as the present one, the call would come for a national police force.

I am satisfied that the president for his year of office is always a police constable from outside London. I hope it will never be the case that the head of the Metropolitan police, although he is a member of the Association of Chief Police Officers, is made the president. This would be unwise. I have questioned whether the centre need be sited within Scotland Yard, as I had thought that there were some benefits in having the office out-posted. On balance, given the communication links that have been established for a variety of reasons, I decided that this was necessary.

I do not think that there is anything sinister about the way in which the national reporting centre has operated. Indeed, it has been in operation since 1974. It has been called into action on four occasions. The first occasion was the mining dispute in 1974. It was next called into action on an occasion when the police had to provide prison cells, and it was called into action during the Toxteth riots, and the papal visit. It has, therefore, been demonstrated that the centre deals with a whole range of issues, and not just industrial disputes.

It is a pity that the Home Secretary did not develop his explanation on this question. The House was told about it by his predecessor in a debate in 1981. The more that we know about the operation of the centre, the more confidence I believe people will have that we are not moving away from the well-tryed procedure of accountability to the police being held locally. I do not believe that we should go much below the current number of 43 police forces covering England and Wales, and Northern Ireland.

The Home Secretary made a fair speech. However, the right hon. and learned Gentleman must be very careful about making allegations about what took place last night

in Derbyshire. I hope that those who went round marking the doors of miners' houses were not miners, or connected with the mining industry. As yet, I do not think that there is any evidence that those responsible are associated with the mining industry. Such behaviour would be very atypical and would be condemned by miners' leaders regardless of their politics. We would all deplore such intimidation. However, that part of the Home Secretary's speech seemed to move a little closer towards making unsubstantiated allegations than the rest of it. Nevertheless, something undoubtedly happened last night, and it shows the ill-feeling that is beginning to develop.

I hope that one message that comes out of this very unfortunate debate rings clear—that the house is not prepared to make the police the scapegoat for the crisis. I hope that there is not a Division at the end of the debate and that the hon. Member for Barnsley, West and Penistone (Mr. McKay) who opened the debate in a reasonable way will not seek to divide the House. However, if there is a Division, my right hon. and hon. Friends will vote in a way that will clearly signify—

Mr. Martin Flannery (Sheffield, Hillsborough): The SDP are Tories.

Dr. Owen: I shall vote not for the Tories but for the police. I shall vote that the House continues with its business—

Mr. Ashton: With the Tories.

Dr. Owen: I shall not vote with the Tories. Let us have no such nonsense. I hope that some Labour Members will at least abstain and that they certainly will not vote for the motion. If they vote for it, they will have demonstrated what a shabby, sordid exercise the whole thing has been.

5.21 pm

Mr. Jonathan Aitken (Thanet, South): I am glad to speak after the right hon. Member for Plymouth, Devonport (Dr. Owen), because I agreed with many of his fundamental points, and not least with his basic proposition that the debate reveals a shameful sense of parliamentary priorities. We are debating a motion that seeks to put the police, if not under attack, at least under a most critical and unfriendly spotlight. We have neglected many of the more basic issues that are hinted at in the motion. It refers to civil liberties and rights, but there are much more important civil liberties and rights at stake in the dispute. The right to work is a civil right and liberty, just as the right to vote in a national ballot connected with one's livelihood and the right to go peacefully to one's place of business or work are also civil rights and liberties. It is a terrible condemnation of Opposition spokesmen that they should have completely ignored such rights and liberties and should have concentrated on the civil liberties that may—although I do not think so—be under threat as a result of police action during the dispute.

The opening speech of the hon. Member for Barnsley, West and Penistone (Mr. McKay) was characteristically moderate, but that of the right hon. Member for Manchester, Gorton (Mr. Kaufman) was much more slippery and characteristically offensive. As I listened, I was reminded of a passage from the Mikado opera when one character says to another, "What is journalistic licence?", and the other character replies:

"Journalistic licence is a mass of corroborative detail giving an air of verisimilitude to an otherwise bald and unconvincing narrative".

[Mr. Jonathan Aitken]

Today, the Opposition Front Bench treated us to a bald and unconvincing narrative. It was a mosaic of individual anecdotes that did not add up to a convincing or coherent picture of what the police are doing. Of course, it is possible and, indeed, probable that policemen have sometimes made mistakes. It would be quite extraordinary if they had not done so.

However, as I represent a constituency that contains many Kent miners, I should like to deal with one incident in which it was alleged that the police made a mistake. I refer to the treatment by the Kent police of Kent miners at the Dartford tunnel. The incident took place largely on Sunday 18 March. During the previous three or four days, we had seen some of the worst scenes of violence in Nottingham, and the chief constable of Nottingham had appealed to other police forces for help and mutual aid in preventing further outbreaks of violence. On Sunday 18 March the chief constable of Kent stationed about 20 police officers at the Dartford tunnel. They stopped about 50 cars as a result of what the police call "common-sense observation". The hon. Member for Battersea (Mr. Dubs) laughs, but he only reveals his own lack of common sense. One of the major factors that led the police to stop the cars was that they were displaying NUM stickers.

The chief constable of Kent quite properly told his officers to advise potential pickets not to travel further. However, no one was prevented from leaving Kent, or arrested when doing so. I believe that the chief constable of Kent was right to say that the police action was both reasonable and within the law.

Mr. Ron Lewis (Carlisle): The hon. Gentleman said that the police were within the law. Is he aware that last Thursday night, after a Division, when I was on my way home in a car driven by my son, we were pulled up by the police twice? Is that not an infringement?

Mr. Aitken: Neither I nor any other hon. Member could comment on such an individual case. If the hon. Gentleman or any other hon. Member, or any miner, has a justified sense of grievance, he is perfectly entitled to lodge a complaint against the police under the established procedures.

In a statement issued explaining the police action, the chief constable of Kent, referring to the stoppings outside the Dartford tunnel, said:

"Our action"—
that of the Kent police—

"in this case is no different from the advice a senior Kent Officer gave recently to football fans leaving Dover to travel to the continent where again breaches of the peace were feared."

I do not remember the Opposition condemning police officers for giving advice to football fans before breaches of the peace occurred. Therefore, the criticism of the Kent police is not justified.

However, I understand the point made by the right hon. Member for Devonport. I think that he expressed something which I also feel—a faint feeling of unease that any citizen of our country should be stopped on the highway as part of a deterrent policing operation. I somehow feel that it is an un-British state of affairs. It is something that we should strike a warning note about. It is only possible to stand aside and not take it too seriously because of the exceptional circumstances produced by the exceptional events in and around the coal fields.

Mr. Stuart Bell (Middlesbrough): Is the hon. Gentleman saying that he will vote against the Police and Criminal Evidence Bill on Report?

Mr. Aitken: I am saying no such thing. I am trying to make a serious speech on a serious issue.

There is one other aspect of police activity that causes me mild concern. About 170 officers from the Kent police force are now in the midlands. Similar numbers of police officers from forces all over Britain, and particularly from the South, are deployed in the mining areas because of the request made by the president of the association of Chief Police Officers. I am worried that we shall see the beginnings of something approaching a national police force if such policing continues for any length of time.

One reason why the British police have been so much more successful than the French police is that the French police are regarded as being the face of the state, whereas the British police tend to be regarded as the face of the community. The sooner we can return, as normality allows, to community policing by local police forces, the better, I shall then be caused less unease by the extreme measures that have had to be taken in extreme circumstances.

Mr. Brandon-Bravo: Does my hon. Friend acknowledge that the Nottinghamshire constabulary has involved one third of its entire force in the dispute, leaving two thirds to cope with the rest of normal policing? Given that enormous work load, does my hon. Friend agree that it is reasonable to allow the chief constable to call upon the assistance of his colleagues.

Mr. Aitken: I accept that. We have an exceptional situation on our hands and exceptional measures are required. However, I do not minimise the argument by the right hon. Member for Devonport who fears that if the dispute continues indefinitely we could move towards a form of national policing, which is undesirable.

In the long term, I should prefer a greatly strengthened, better trained form of special constabulary from a local community to moving great phalanxes of police from one end of the country to the other. I hope that some lessons will be learnt nationally from the present position which must give rise to anxiety, although one cannot legitimately criticise any police policy in relation to the strikes so far.

Our barbs should be reserved, above all, for the president of the National Union of Mineworkers, Mr. Arthur Scargill, who is doing more than anyone to damage and destroy civil liberties and rights. He is no trade union leader in the accepted sense of the word. His major priority is not the welfare of his members, but political revolution. He proves that every day. Mercifully, the good sense of the British working man shows signs of triumphing, despite the bad leadership of the NUM.

According to the Press Association a few hours ago, over 20,000 miners are at work today—the largest number since the dispute began and 700 more than yesterday. The miners are voting with their feet against their irresponsible and Marxist leadership.

We are sent here not just to pass laws, but to preserve liberties. The first liberty that we can preserve is to allow the miners themselves—by the ballot box and their individual judgment—the right to work, which they deserve.

5.34 pm

Mr. Terry Patchett (Barnsley, East): I am grateful for the opportunity to speak, and I recognise the need to be brief. I should like to clear up a matter in relation to the contribution by the right hon. Member for Plymouth, Devonport (Dr. Owen). I do not intend my contribution to be an attack on the police, but the right hon. Gentleman implied that the police should never be questioned. I find that worrying. I am anxious about the infringement of civil liberties, since they are the cornerstone of any democratic society.

I am not sure how unique I am in the House, but I have experienced being on a picket line. Like many miners, I never intended to do anything but peacefully picket. However, I was struck and assaulted by the police on at least one occasion for no reason whatsoever. Let no one try to whitewash the problems. I am aware of the frustrations felt and the taunts made by both sides. Apparently the public are not aware of taunts by the police during the dispute.

In 1972 I was based in Norwich organising over 1,000 pickets in East Anglia. The organisers had daily telephone conversations with senior police officers. We were asked how many pickets were going to each place. That peaceful working relationship lasted throughout the 1972 dispute and it was recognised and honoured. It was successful, and peaceful picketing occurred. The same relationship existed during the 1974 dispute.

Then came the aggressive determination by the Tories to dismantle the trade union movement and destroy its influence. The dispute comes as no surprise to me, because it has been manufactured over many years by the Government through their trade union legislation and picketing laws. The Government are even attacking the recipients of DHSS benefits, knowing that the trade unions cannot afford to pay £15. That is what puts trade unionists' backs up. Many more vindictive actions have taken place, culminating in the closure of Cortonwood colliery which precipitated the dispute. Neither I nor other trade unionists are fooled by what is happening.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) referred to Father Marshall of the parish of Goldthorpe. He is a constituent of mine with whom I have discussed the case. After two or three ladies from his congregation expressed concern that two young men, who had never before been in trouble with the police and had never intended to see the inside of a police station, had been arrested, Father Marshall believed it to be his parochial duty to observe exactly what circumstances had caused two such honourable young men to be arrested. If a man of the cloth believes that simple step to be his duty, he should be free to take it.

Father Marshall contacted the local Barnborough NUM branch secretary, Mr. Allen Hale, who had misgivings. He would not let Father Marshall travel with the pickets, and he escorted him himself. They arrived at Checkpoint Charlie on the A1 at Blyth. Father Marshall tells me that the police tone to the branch secretary was aggressive until they recognised Father Marshall's collar, and then the tone changed. The branch secretary made his position clear. He said that he was taking Father Marshall to look at the Nottinghamshire coalfields and the activities on the picket line. Only when Mr. Hale asked the father to get out of the car did the police notice his collar, and then their tone changed. Allen Hale has been told that he must not be seen

in Nottinghamshire again and the reverend father is not too sure of his position. He was happy with his treatment, but is distraught that in this day and age in Great Britain he could be stopped that way.

My next example involves Mr. Wayne Lingard, who lives in my constituency. A friend of his was arrested on the picket line, so he left the line and went to a public phone booth to let his friend's wife know that he would be late home. As he was dialling, a police officer opened the door. Mr. Lingard said, "Excuse me, but I am making a private telephone call." The officer replied, "I suspect that you are ringing for more pickets to be brought to Yorkshire." He said, "I am not ringing for pickets. It is a private telephone call." The officer's retort was, "If you are doing nothing wrong, there is no need for privacy." That was in a public telephone booth. [Interruption.] It is all right. I do not want their assistance. I want the public and the press up there to see just what their attitude is.

Mr. Speaker: Order. The hon. Gentleman knows that there is no public anywhere but here.

Mr. Patchett: I am sorry. I believe that right hon. and hon. Members opposite are making clear what they think in a serious debate on the infringement of civil liberties.

The subject of telephone tapping has already been mentioned. I can only tell the House what I was told—that a telephone conversation took place from the Yorkshire miners' strike headquarters and a deceiving message was given out that three coach-loads were going to a given spot. They were quite happy to send a car-load of pickets to go along and laugh at the numbers of police who suddenly appeared at the given spot. One can only conclude that someone had leaked something, and there is very serious suspicion.

I appeal particularly to Government Back Benchers to think seriously about the subject of this debate—the infringement of civil liberties—and about how far down this road they are prepared to go in their bitterness against the trade union movement. Are we really going to allow this democracy to be run in this way? I hope that these serious questions can be answered. Unfortunately, I feel that some will be masked, because under the pressure of incidents at the time—

Mr. Patrick Cormack (Staffordshire, South) *rose*—

Mr. Patchett: No. I am sorry, but I am finishing now.

Under the pressure of incidents at the time, these men, who are not familiar with police routine, are not taking the required details. They are inexperienced. They did not intend to get across the police. I therefore ask Tory Back Benchers in particular to think about the road down which their party is taking them.

5.41 pm

Mr. Eldon Griffiths (Bury St. Edmunds): I approach this debate much more in sorrow than in anger, because I grew up in a mining community, my father was a police officer and I can remember from childhood the extremely warm relations between the police service and the mining community. I believe that warm relationship remains and I hope that after all this madness is behind us it will be restored.

Secondly, I am saddened that, after a period in which we have seen masses of men moving from one part of our country to another and using violence against their fellow workers, the House should be concentrating its attention

[Mr. Eldon Griffiths]

not on those who have caused the violence but on those who are trying to contain it; not on those who break the law but on those who are trying to uphold it. I find this, as I come to the 20th anniversary of my arrival in the House, a sad occasion.

The right hon. Member for Manchester, Gorton (Mr. Kaufman)—whose personal offence to me I pass by—made a speech that contained a number of charges. I say to him, from knowledge, that nearly all the things he complained of—the stops on the motorways, the central co-ordination of mutual aid, the use of plain clothes officers, and the rest—were all taking place with the knowledge, though not, of course, the authority, of Ministers in the Government of which he was a member. There is no change in the tactics, operations or command system of the police service.

The right hon. Gentleman had a dossier of specific charges, which no doubt will be noted by those police officers who are attending this afternoon, who will want to pursue his allegations—as indeed they should. But surely he ought to recognise that most of the matters on which he touched could well become matters for disciplinary proceedings, could quite properly go to the Police Complaints Board and quite likely in some cases could end up in the courts. I beg leave to doubt whether it is a proper use of the House to offer partial comments on specific matters that may be justiciable, identifying names, as if there were incontrovertible proof, without there being any opportunity for those against whom these charges are made to answer them. For that reason, too, I approach this debate with sorrow.

The main charges that have been made over the past few weeks against the police service are very clear: first, that the police are enforcing the Government's trade union law—this is Mr. Scargill's allegation; secondly, that the police are engaged in political policing; thirdly, that they are engaged in paramilitary action; and, fourthly, that we are in the presence of a move towards a national police force. I shall comment on all four of those charges. Not one of them is true. Each one of them, whether this is intended or not, has the effect of undermining the morale of the police service and of impairing the confidence that I believe the vast majority of our fellow citizens have in the police.

In reply I say first on behalf of the Police Federation—in which I am proud to declare an interest—that the police deeply resent being likened by public figures to the police forces of Poland or of South Africa. I have visited over the past 10 days Derbyshire, south Yorkshire and south Wales—although I have not sought to milk from my visits the same political advantage as the right hon. Member for Gorton—and I have found that the facts are very different from the impression projected by the media. In the vast majority of contacts between police and the mining community relations have been good. In some cases miners' wives have brought food to the police, who are living in the most difficult circumstances, in cold and miserable barracks. Members of the police have also been invited by miners into their homes and, in some cases, down the pits, and are said to have exchanged cap badges for miners' lamps.

I think this is entirely in character, because most of those police officers are the sons or brothers of people in those communities—and long may this remain so. In

any case, the police are not there seeking a clash. They are there to defend the right of those miners who wish to go to work to do so. I have seen letters of thanks from the wives of miners to members of the police force recognising the service that they have provided. That is the reality in nine cases out of 10—the relations remain very good.

But, of course, there are a number of disturbing cases; I recognise that. I concede that mistakes can be made and I now deal with the four main allegations.

The first is political policing. This is not true. The police are not applying the Government's trade union laws. Those laws are largely a matter for civil, not criminal, proceedings and I know of no policeman who so far has been involved in any way in those civil proceedings. What the police are applying is the ordinary criminal law, and it is that law which makes it an offence to use violence against one's neighbour. If a constable, or indeed any one else, has reasonable grounds for believing that any other person is by his conduct likely to cause or to aggravate a breach of the peace, then, no matter who or where that suspected offender may be, it is the constable's duty, under his oath of office, to intervene and if necessary to make an arrest, and he is subject to discipline if he fails in that duty. Whether that arrest is justified—and it is an arguable matter—is a question exclusively for the courts. Anyone, be he picket, demonstrator or football fan, has an absolute right to challenge the propriety of that arrest. And if it is judged by the court to be unjustified, the police will face the consequences.

So let no one be in any doubt that the powers that the police have used, and are using, whether in Kent or anywhere else, have nothing to do with trade union laws. Those powers have long existed under the common law and they are necessary if freedom is to be protected.

Mr. Lofthouse: Does the hon. Gentleman agree that following an arrest it is not the duty of a police officer to ask political questions about a person's political allegiance?

Mr. Griffiths: I do not wish to prolong my remarks, but perhaps I should answer that question. There are occasions when there is good reason to believe that some of those on a picket line offering violence are not miners, but others who have joined in the dispute. One of the simple ways—it may be an unwise way—in which an ordinary copper in south Yorkshire may try to find out whether a person has nothing to do with south Yorkshire or mining, but is there for his own extremist purposes, is to say, "If you are from south Yorkshire, which MP did you vote for in the last election?" [Laughter.] Hon. Members may laugh, but I shall explain that remark. South Yorkshire Members representing coal mining areas are well known in the area. So miners are well able to answer that question. Those who cannot do so might be thought to be intruders from other areas. I do not say that that is the best way to approach the problem; I seek only to explain how it can happen.

A second criticism of the police relates to paramilitary policing. The movement to Nottinghamshire of thousands of police is alleged to have been a paramilitary operation. What, then, is the organised movement of thousands of pickets and others from one area of the country to another? There is something paramilitary about that operation, too.

I agree very much with the right hon. Member for Plymouth, Devonport (Dr. Owen) that, despite the picture

projected in much of the media, the level of violence so far has been relatively small. Nowhere in the world would such a major dispute have been policed with the same methods of restraint and persuasion as have characterised most of the police operations during the past month. Those who allege paramilitary policing should ask themselves where have been the water cannon, the gas charges and all the other apparatus of paramilitary policing used in other countries. The British police have placed their bodies between the pickets and civil peace. They have taken the knocks and the bruises—

Mr. Flannery: And the pickets.

Mr. Griffiths: Many hundreds of police, some well known to me, have taken the most severe bashing from the front. But what hurts more are the attacks from the rear made upon them in this House. Paramilitary policing is an absurd allegation.

I turn to the allegation that we are moving towards a national police force. The right hon. Member for Devonport, who had the wisdom to visit the president of the Association of Chief Police Officers at the National Reporting Centre, has disposed of that allegation. When help is requested between one force area and another, it is a request and not an instruction. We are a long way from a national police force. I can see nothing in the dispute that has brought that nearer. I too shall always resist a movement towards a national police force.

To conclude, some people—not many—want the police to be broken in this struggle. They know that would be the first step towards the demolition of the parliamentary democratic system that all in the House honour. There may be only a few who seek this. but I have no doubt that there are some. Therefore, it is incumbent on anyone who comes to the House and seeks to move a motion that attacks the British police to ask himself what would happen to our democracy and our freedom if the police should lose. The essence of our democracy is the rule of law and in standing for that law the police deserve the support of the House.

5.56 pm

Mr. Merlyn Rees (Morley and Leeds, South): The hon. Member for Bury St. Edmunds (Mr. Griffiths) is right to talk of the historically close relationship between miners and the police. Many of the police in west and south Yorkshire are the sons and daughters of coal miners.

It is not new to bring police from outside into areas on strike. It happened in 1910, 1911 and 1926. At that time it was felt that the police in the area would be too friendly with the colliers. I am not arguing that that is why that has happened this time, but I accept that there is that close relationship.

The hon. Gentleman referred to the police attempting to discover whether a person came from south Yorkshire. During my 25 years in Yorkshire, I have realised that there are so many gradations of accent from Leeds to Sheffield that one can almost tell from which village a person comes. It is not necessary to question which way a person votes. If someone said that he voted Communist, he would be telling lies because the Communists hardly gained a vote in the Yorkshire area—

Mr. Alex Woodall (Hemsworth): Not many voted Tory either.

Mr. Rees: There is as curious a circularity in our politics, as we will find anywhere in eastern Europe.

I wish to take up the point raised by the right hon. Member for Plymouth, Devonport (Dr. Owen) and the hon. Member for Bury St. Edmunds about what I regard to be a worrying move in the structure of the police—not only during the past three weeks, but in my day—independent of who has been Home Secretary. I wish to make a few suggestions about what a Home Secretary should be doing now.

For those who argue that there is something wrong in this debate, I must tell them that I am fed up with reading in the newspapers, through the scissors and paste reports, about what is happening in the coal areas. This is the place where we should have discussed this matter a long time ago. It is sad that it was not debated because it was believed that the debate would not stick to the point and that we would all engage in the usual Oxford Union general election-type politics with which the general public are fed up to the teeth. It is right that we should discuss this problem here today so that we can clear the air.

I am the son, grandson, great-grandson and great, great-grandson of a coalminer. Indeed, one of my great, great-grandmothers worked as a coal miner. I am proud of that—[*Laughter.*] I hope that no one is laughing at that, because that is true. I am as proud of that as of the period that I spent in the Royal Air Force. Those who come from the suburbs of London should understand that there is something about being a coal miner that marks him out as being quite different from those who board and underground train every working day and face the danger only of getting their coat caught in the door when they arrive at Trafalgar square.

I am proud of my mining ancestors but I do not believe in my country right or wrong, and nor do I believe in my party right or wrong. Equally, I do not believe in miners right or wrong. If miners break the criminal law, it is right that they should be dealt with by the law. None of my hon. Friends who were miners have said anything that conflicts with that view. Miners, like other trade unionists, have the right peacefully to picket. I wish that that remark had produced more cheers. We hear many cheers when someone argues that the right to picket does not exist in Poland. Others have the right to work if they wish to do so, and therein lies the role of the police.

I had a close daily involvement with the police for a period which began in March 1974. They have a difficult job and that becomes even clearer when one talks to their wives. They have a rotten job to do, especially when they are on duty at a football stadium or at any other large public gathering.

The police are not pigs or Fascists, and I am not going to say that they are merely because I happen now to be in opposition. Mass denigration of the police is as daft as mass denigration of trade unionists, who are often called Marxists by those who know only of Groucho Marx. The police are civilians in uniform, and I did not like to see them marching as I watched television recently. That is not what our police should do. Chief constables who get their police officers to wear mess dress, for example, are allowing police colleges and that sort of atmosphere to change slightly the nature of the police, of which I am extremely proud.

If I am prepared to criticise coal miners, the Royal Air Force, or anything else, I am prepared to criticise the police as well when they do something wrong. They should not be exempt from criticism. It is sometimes felt

[Mr. Rees]

that if criticism is made of them something is wrong and the criticism should not have been made. I have heard the views of the Police Federation at Scarborough and the views of flying pickets who travelled 200 miles to undertake their picketing. It is right to add that those pickets were not arrested. There are always bad eggs in every organisation, and there are some bad eggs in the Police Federation.

Mr. Eldon Griffiths: That is right.

Mr. Rees: I learnt from my experience in Northern Ireland that politicians should distance themselves from the police. That is certainly true when it comes to interpretation of the law and operational control. The Home Secretary is not a Minister of the Interior. He has a vague responsibility for about 44 police forces, but that responsibility does not extend to Northern Ireland or Scotland. The more that that part of his responsibility is broken up, the better. When I was Home Secretary I became involved in lengthy correspondence with the right hon. Lady who is not the Prime Minister. In January 1979, the right hon. Lady said:

"The Home Secretary should be giving advice on the present grievous difficulties."

I replied:

"I have no power to instruct chief constables. That is what I said yesterday, and I repeat it. The right hon. Lady is wrong."

The right hon. Lady continued:

"Will the right hon. Gentleman give the chief constables advice by means of a circular?"—[*Official Report*, 16 January 1979; Vol. 960, c. 1529-1530.]

The correspondence between the right hon. Lady and myself was directed to whether a Home Secretary should advise chief constables. The Home Secretary should not advise anyone on policing. Individual chief constables of smaller forces should take decisions and they are responsible to their police committees. Incidentally, those committees will disappear in the Metropolitan counties.

Mr. Gale: Does the right hon. Gentleman accept that the visiting police in Nottingham were there at the invitation of the local chief constable?

Mr. Rees: I shall come to that. I want to know under what part of the Police Act 1976 that was done. I want to know also whether the Prime Minister still holds the view that she expressed in 1979 and whether any advice has been given by the present Home Secretary, the Home Office, or any other Minister to the police. It has been alleged that the right hon. and learned Gentleman has held a meeting with the chief constables. I was advised strongly in the spring of 1979, at a time of industrial disputes, that I had no power to ask the chief constables to come together, and that if I asked them to do so to discuss the issues arising from the disputes, I would be acting "wrongly". Against the background of talk of a national police force, I want to know whether matters have been left entirely to the chief constables, or whether they have been told that something different must be done because of the Saltley incident and the events of six years ago.

I am concerned about violence. I do not want to see miners fighting miners and no miner whom I know wants that either. It must be realised that if young police officers are brought into an area and live in the equivalent of

barracks, the events and the reaction that we have heard about during the debate will be almost inevitable in the rotten, nasty situation of some picketing.

I have kept the forms which were in my desk when I was the Home Secretary, on which are set out the powers that I had over the police. They amounted to precious little. However, the Home Secretary can

"direct a chief constable of any police force to provide any other police force with such constables or other assistance it appears to be expedient in the interests of public safety or order."

If the Home Secretary had done that, he would have been well within the law. Was it done that way, or was it left to an ad hoc arrangement with ACPO at Scotland Yard?

Mr. Dick Douglas (Dunfermline, West): Get up and answer.

Mr. Rees: I am concerned that the events of the past few months, along with other events over recent years, have taken us along the road to a national police force. It is not what the federation says that matters and it seems that what we say in the House does not matter. Daily events may be leading us in the direction of a national force. If discussions took place, I am sure that we would say that we did not want such a force. Perhaps the time has come for a Royal Commission to direct itself to the police and to follow up the work of the 1960 Royal Commission, which led to the introduction of legislation in 1963, including the Bill which was the first measure in which I played a part in the House. That Bill found its way on to the statute book in 1964.

I accept unreservedly from the Home Secretary that telephones have not been tapped. However, I have not liked the partisan role of the right hon. and learned Gentleman. Of course he should condemn violence, and any Home Secretary who fails to do so is not worth his salt. However, his job is not to question those of us who are concerned about what we read. He should realise that we are dependent upon what we read in the newspapers. That is so, even though we write in our diaries when we leave office, "Never believe one word that appears in a newspaper." However, the newspapers appear every morning and we find ourselves asking whether they have presented us with the truth. That is why we are right to question Ministers in this place.

I had great respect for one of the Home Secretary's predecessors, Mr. Reginald Maudling—[HON. MEMBERS: "Come on."] I had great respect for him. He advised the chief constables to meet the miners' leaders. He sent them a telegram to that effect. That should be done now.

Mr. Robert Atkins: How can you talk to Scargill?

Mr. Rees: The Home Secretary should be doing what Emlyn Williams and the chief constables have done in south Wales and what the chief constable has done in west Yorkshire. He has gone to the power stations and said, "lads, you can have pickets here. I do not care what numbers you have but it is going to be quiet. I won't bring in other police if the picketing is conducted on that basis." A man who knows the area can do that sort of coppering.

The present dispute will eventually come to an end, but I suggest to the Home Secretary that it might be a good idea to try to get talks under way instead of dealing in images. We are all aware of the reports that appear in the newspapers and we all have our views on certain individuals. It is against that background that the right hon. and learned Gentleman should realise that talks are

required and that we should not hype up the dispute with talk of victory for one side or the other. We should use this debate to air the problems and, when it is over, think hard and do something to cut the dispute down to size. It is doing the nation great harm. The miners have a case. For goodness sake, let us talk to them.

6.10 pm

Mr. Michael Knowles (Nottingham, East): As I am from Nottingham, I speak with a special interest. I have noted carefully what some Labour Members have said and the terms in which the debate has been initiated—the implications for civil liberties and the rest—but I ask Labour Members to accept that my constituents and those of my hon. Friends also have civil liberties.

This is not just a question of people being stopped on motorways. We are talking on behalf of people whose towns and villages have been invaded. It has been called peaceful picketing. In fact, rioting mobs have descended on places where people want to work. Some of the charges that are having to be brought by the police against some pickets are, frankly, hard to believe for those who know the industrial midlands and the north.

I suspect that many of those who have done much of the damage are not miners, and I am not the first to make that point. Some have said that they are interlopers, and when the full story comes to be told we shall find a lot of truth in that.

Yesterday, accompanied by several colleagues, I spoke to the chief constable of Nottingham and asked whether he had asked for or been given help. He told us, as he had stated before his police authority, that he had asked for assistance. After the first few days, especially early in March, and particularly at Ollerton, his force was being pushed against the barriers. For how long can policemen be kept on the streets for 12, 16 even 18 hours a day? He had to call in policemen from elsewhere. He had no choice.

In the towns and villages of Nottingham, those policemen—our own police force and outsiders who had to come in—have received massive public support. They have not been on the receiving end of peaceful picketing. It has not, even in a fairly aggressive way, been a question of putting a point across, and we appreciate that miners are not always total gentlemen in discussing matters one with the other; hard words can be exchanged. But when it comes to women and children on the streets being affected—that has happened on occasions—that is an entirely different matter.

The hon. Member for Barnsley, West and Penistone (Mr. McKay) said that he had never seen so many police. The nation has never seen so many pickets. Yesterday at Babbington there were 2,000 pickets to fewer than 200 miners going down on shift. Was it necessary to have 10 pickets to persuade every miner? That was some persuasion. Standing between them were 30 policemen, six of whom were injured. That is what this has been about and that is the way in which the people of Nottingham see it.

The hon. Member for Barnsley, West and Penistone said that the police should be even-handed. I have never taken the view that the police should be even-handed between the burglar and the householder, or, in this case, between those who come to wreck an area and those who

live there. The hon. Gentleman said that it was no joke to be fingerprinted and arrested. I agree. It is no joke to have one's town torn apart, either.

Many general allegations have been made. For example, the right hon. Member for Manchester, Gorton (Mr. Kaufman) made a point about cases, having said that he had met the chief constable of Nottingham over the weekend. I know that the chief constable gave him a pledge that if he sent him the details of each of those allegations they would be investigated. The police have no interest in a cover-up in that respect. It does not do their credibility any good to cover matters up, and they know it. The police want the details and that is why it is no good simply our discussing the issue in this Chamber. The chief constables must know all the details so that they can take the necessary steps.

The right hon. Member for Gorton then referred to an under-cover police operation, and there has been talk to agents provocateurs. The police have made no secret of the fact that they have used plain clothes policemen in this operation to get round the back of the crowd. They are after two kinds of people there—those throwing bricks and bottles over the heads of those in front and the organisers, because in many cases even some of those who come to picket are innocents, loyal to their union and their class—[HON. MEMBERS: "Shame."]—and their loyalty is misused. They are ending up in the hands of the police. We know that there are people organising behind the scenes, some of them sitting in offices in Barnsley. We know the truth about the strike, and there is no point in being mealy-mouthed about it.

One wonders why the Labour party has brought the subject up in the way in which it has been raised today. The implication is bound to be that it is a vote of no confidence in the police. Disguise it how Labour Members will—step daintily on eggshells through the minefield—but that is the implication. The nasty reality is that the Labour party is still swinging to the left and the fear, among the Left-wing Members of the party more than among the few moderates still left, is that re-selection time is coming. [Interruption.] This is a nasty macho attack to preserve their backs and their general management committees.

Several Hon. Members rose—

Mr. Speaker: Order. It may be helpful if I inform the House that the Front-Bench speakers intend to seek to catch my eye at 6.35 pm, which leaves 20 minutes for the remaining speeches. If hon. Members will confine their remarks to about five minutes each, that will be immensely helpful.

6.17 pm

Mr. Ray Ellis (Derbyshire, North-East): I shall heed your remarks, Mr. Speaker, and be exceedingly brief.

My only son was arrested last night at the pit head and forcibly detained. I accept that my son is as liable as anybody else to be arrested, and I mention that fact in passing simply to assure the House that I do not speak from hearsay.

The Parliamentary Commissioner, Sir Cecil Clothier, pointed out in his annual report that the worst evil the state could inflict on its citizens was wrongfully to take away their freedom. Unfortunately, that has become the daily practice in the coalfields of Britain. Hundreds of innocent

[Mr. Ray Ellis]

witnesses are being picked at random and are suffering the implied violence of forcible arrest, and are set free only under terms of curfew. We are living in a police state or under selective martial law—[*Interruption.*]—a law, moreover, that has not received its First Reading in this House. Perhaps it will never need to do so.

Conservative Members should be aware of the results of the Government's actions. It has been said on many occasions that the miners should hold a ballot. The rules are clear. They are not restricted reading, and I will happily make a copy of them available to the Minister. They say that all miners' ballots shall take place at the pit head.

I have not had an opportunity to see or speak to my son, but, according to this morning's newspapers, he and others have been given instructions until the middle of May to keep away from all premises of the National Coal Board and any premises picketed by the NUM except for purposes of residence.

According to the NUM rules, hundreds of innocent lads cannot vote until late May.—[*Interruption.*] Keep on going. The chances are that more miners will be picked up tonight and later. The NUM cannot legitimately hold a ballot according to its rules until all its members are available to vote. The Government's actions are behind that, and we should not forget it. The day that the Government use the police as an instrument of class warfare is the day when the House will not only come into disrepute but be disregarded.

6.20 pm

Sir Edward Gardner (Fyle): It has come out clearly in the debate that no one seriously challenges the principle that the right to refuse to strike is as important as the right to strike. Miners in my native Lancashire, in Derbyshire and in Nottinghamshire who are refusing to strike and are determined to work are exercising a right that I hope the House fully recognises—the right to work.

The reason why the police are at the pit heads in such numbers has become clear from all that my right hon. and learned Friend the Home Secretary has said about the degree of violence experienced over the period of the dispute, and especially last night and this morning. There is no doubt that we see a distressing picture in a policy by people determined to intimidate by force and threat of force others to submit to their views by keeping them away from work. No one who has paid any attention to the facts that have come out in the debate can deny that the presence of the police was and is necessary. The police have a clear duty to prevent unlawful violence whenever and wherever it appears. Any other view must be an argument for anarchy.

Mr. Scargill, by refusing to allow a national ballot, gives a strong impression that he is happy to let loose the dogs of civil war in the coalfields. I do not wish to criticise the hon. Member for Barnsley, West and Penistone (Mr. McKay) for choosing this time to debate this subject. He seems to have no opportunity to do otherwise. He merely accepted the invitation of the Labour Front Bench. I see this debate—I believe that the country and the House see this also—as nothing more than a shameful and cowardly attempt to divert public attention from the essential serious and substantial issues of this conflict. I

hope that this will be realised in the country at large and that the Labour Front Benchers will feel ashamed of what they have done.

6.23 pm

Mr. Tony Benn (Chesterfield): This debate is long overdue. Most of the Conservative speeches have made no reference to the fact that this debate is about whole communities of miners whose right to work has been deliberately destroyed by the Government's edict. If the Home Secretary really believes that he is supporting the police, he should read the letter that appeared in the *Sheffield Morning Telegraph* last Friday, which stated:

"As a former police officer, I am deeply concerned about the actions of the police. The fact that they openly harass miners, arrest them on the most trivial of excuses and are blockading large areas of this country appears significant in that they are following orders in the knowledge that they will be indemnified against counter legal action. This can only mean that they are under orders from the Government, and as such they have become the servants of the Government, no longer the servants of the people of this country . . ."

The danger is that if the police are not restored to representing existing law, their actions will become the common law of the land."

The Home Secretary is shielding himself behind the police to cover up his own political responsibility, and that of the Prime Minister and their Cabinet colleagues, for the dispute that gave rise to this incident.

Sir John Biggs-Davison (Epping Forest): Will the right hon. Gentleman give way?

Mr. Benn: I shall not give way because many other hon. Members wish to speak. I shall be brief.

The closure of the collieries was in breach of a well-established civil right, which has been accepted by previous Governments, that there would be proper consultation between the miners and the NCB. If one arbitrarily steals miners' jobs, one is responsible for the first denial of civil liberties.

Next, the legislation on industrial relations which has been introduced by the Government has been deliberately presented by the Government to make it look as though traditional methods of picketing are virtually criminal in character.

Mr. Brittan indicated dissent.

Mr. Benn: It is no good the Home Secretary shaking his head because he has done his best to confuse people about criminal and civil actions. The intention of Government propaganda throughout this dispute has been to make it appear that those engaged in picketing methods which have been accepted for many years are guilty of a criminal act.

Mr. Michael Stern (Bristol, North-West) rose—

Mr. Benn: I shall not give way because I have only a few moments in which to make my point.

It is utter hypocrisy to say that the Government are defending the right to work when 20,000 miners have been denied that right by Government edict through Mr. MacGregor. If Conservative Members wish their views to carry weight with the public, they should go to a mining area in which mass closures are being announced. They should ask the miners—[HON. MEMBERS: "About the ballot."] I shall come to the matter of the ballot shortly. Conservative Members should ask the miners whether the

police will be available to allow them to go to work when Mr. MacGregor has closed their pits. It is odious and hypocritical to use that argument.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): How many pits did the right hon. Gentleman close?

Mr. Benn: The argument about the ballot is a matter for the NUM and will, no doubt, be discussed within the framework of that union. A Government who last Friday introduced legislation to remove Londoners' right to vote, and never permitted a ballot to be held at Cheltenham where they destroyed trade unionism by edict, and who now come out as the defenders of industrial democracy are odious and hypocritical.

Mr. Dickens: Will the right hon. Gentleman give way?

Mr. Benn: I shall not give way under any circumstances.

The Government appeared to have authorised the police who set up the road blocks. They authorised the mass police pressure and presence and authorised the police to harass the miners. The statement by the Home Secretary at the beginning of the dispute, when he listed the powers of the police, meant that in advance the right hon. and learned Gentleman authorised the actions of the police.

Despite the statements by my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees), the former Home Secretary, about telephone tapping, I point out that there has been widespread telephone tapping. [Interruption.] If the Home Secretary doubts my word, he should look at what the former Home Secretary, Lord Whitelaw, said in his written answer on 25 February 1982. The guidelines issued to chief constables state that the authorising officer must satisfy himself that telephone tapping is operationally necessary, operationally feasible and justified in all the circumstances. The theory that Home Secretaries are required to organise telephone tapping is untrue. [Interruption.] For the sake of *Hansard*, I had better report what the Home Secretary has just said. He said, "That is a lie." If he refers to his predecessor, he will find that assistant chief constables are allowed to authorise the interception of telephones, and he should not try to mislead the House on that.

I want to deal with the imposition of bail by magistrates. One of my constituents has been had up for obstruction. The magistrate imposed upon him, although he would not accept them, conditions of bail. They were that he was not to visit any places or premises other than own place of work, or any other premises associated with coal industry; and not to picket at any time any premises, place of business of the industry. He had not been convicted of anything. The police and the magistrates are working hand in hand to make possible the butchery of the mining industry.

In addition to the points that I have made, the Government have legislated to deny benefits to those who are on strike. Legislation provides that those who are on strike are deemed to have had £15 a week in strike pay. That is using the law to change the facts. One can say, "You cannot have starved to death; you are deemed to have had breakfast this morning". There is hardship now among many miners' families, and, in addition to taking away the right to obtain benefits, the Government have deliberately obstructed the claims. [Interruption.]

Mr. Speaker: Order. We all have to listen to things in the House with which we do not perhaps all agree. The right hon. Member has as much right to be heard as anyone else.

Mr. Benn: I am grateful to you, Mr. Speaker, because if we are to discuss civil liberties the right to eat is also important.

When I was in Chesterfield over the weekend I checked the figures. There were 3,900 applications for supplementary benefit of which 2,400 only had been processed. Of those, 900 have been refused and 1,500 are awaiting payment. There is a strong suspicion that the Government have deliberately slowed down the DHSS arrangements to put financial pressure upon the miners.

I believe that the Government have brought the police tactics of Northern Ireland into the heart of Britain. That view is widely shared. In the process they have gravely damaged the relations between the public and the police. When talking privately to the miners, many local police officers have spoken of their dislike of the conduct of police brought in from other areas.

The charge that this debate has brought forward is that, above all, the Government have denied their responsibility for what has happened and, in a typically cowardly way, have pretended that they have come to the assistance of the police whom they sent in to deal with an industrial dispute for which the Government are 100 per cent. responsible.

What we have seen in this dispute is part of a much wider attack upon the freedoms of our people. The Prime Minister deals with those who dissent in a plain way. She will abolish local authorities that disagree with her and ban the trade unions at Cheltenham that disagree with her.

Mr. Dickens *rose*—

Mr. Benn: I shall not give way, and certainly not the hon. Gentleman.

The Prime Minister's attitude to dissent is to try to turn every political argument into a question of law and order. That has been attempted many times before. They had the army in Chesterfield twice, in 1893 and 1910, they had the police in 1921 and 1926 and those methods have never worked. Although the Government may believe that their method may succeed, in practice it will be rejected by the British people who have a much clearer idea of the importance of civil liberties than the Cabinet have ever understood.

6.34 pm

Mr. Mark Robinson (Newport, West): Having heard the right hon. Member for Chesterfield (Mr. Benn) and his colleagues one would think that we were dealing with civil liberties from one standpoint only. That is far from the case. The debate this afternoon has been narrow. In recent weeks we have seen a divided National Union of Mineworkers. Many members of that union wish to continue working.

We have heard many cases cited by the Opposition of infringements of civil liberties, but when we are talking about their protection we must consider the rights of those miners who want to work. That is precisely what my right hon. and learned Friend the Home Secretary has been doing. We must also think of those industrial plants, for example the Llanwern steelworks in the Newport area, which depend upon indigenous coal and which run the risk of being the first to suffer in a dispute of this type.

[Mr. Mark Robinson]

What is at stake in this dispute is not just the right of miners to continue working, but the right of those plants, dependent upon the coal industry, to continue to receive supplies to enable workers in them to exercise their right to work.

During the dispute, as in any industrial dispute, incidents have been reported that have given those who wish ill to our police forces an opportunity to start the kind of hue and cry that has given rise to today's debate. If one ponders upon this dispute, it is a tribute to our police forces that a potentially dangerous situation has been carefully and sensibly handled within the context of the legal powers available to the police.

If the police act illegally that is always, as has been reiterated this afternoon, open to challenge in the courts. The police have a duty to ensure that picketing is lawful and that those who wish to work, such as those in my constituency, can do so. It is a task that must be handled with skill and sensitivity. Surely the time has now come for the NUM to respond to the wishes of its members and call for a national ballot.

Several Hon. Members *rose*—

Mr. John Morris (Aberavon) *rose*—

6.38 pm

Mr. J. D. Concannon (Mansfield): On a point of order, Mr. Speaker. I represent an area where the atmosphere has been electric for the past three or four weeks. My constituents and the National Union of Mineworkers in Nottinghamshire will find it odd that I cannot put their views this afternoon.

Mr. Speaker: Order. I cannot have any more points of order. It takes time out of the debate. I am sorry that it has not been possible to call every hon. Member who wishes to speak. I warned the House at the beginning of the debate that many right hon. and hon. Members wished to take part. Hon. Members only have to look at the list at the end of the Chamber to see the amount of time taken by their colleagues.

Mr. Ashton: Further to that point of order, Mr. Speaker. Fourteen hon. Members have taken part but five of us raised the issue under Standing Order No. 10 and put on the pressure for the debate. Of those 14, not one has come from Nottinghamshire mining area and only two of those hon. Members who originally raised the issue have been called. We have heard a succession of lawyers and practically everyone who is not connected with the mining industry. What is the point in raising a matter under Standing Order No. 10 if we are not called?

Mr. Speaker: The answer to that is simple. The hon. Member's Standing Order No. 10 application was not granted by me. I warned the House at the beginning that this debate was on a narrow basis. It was connected with the police and civil liberties and the miners' dispute. That is why lawyers have been called.

Mr. Morris: My hon. Friend the Member for Barnsley, West and Penistone (Mr. McKay) has done a service to the House in raising the issue of civil liberties and the rule of law. We certainly recognise the difficult and frequently thankless task the police have. They come from our own communities and they do what they can, but

our appreciation of the police and our respect for the rule of law should not inhibit us from challenging wrong wherever it occurs.

I deplore violence on the picket line from wherever it comes. The rule of law is the same for everyone. Any breach of it, be it by picket or by policeman, justifies the spotlight of public scrutiny. This is the function of the House in peace, in war and in periods of industrial difficulty too.

This afternoon too many allegations have been made for any of us to be complacent. There have been allegations of the stopping of movement, of wrongful arrest, of violence and even of asking for political views. Men and women have the right to go to work. They have also the right peacefully to persuade others to abstain from working. Whether or not one is a picket, what is not allowed is a breach of the criminal law. It is the criminal law we are concerned with and not with civil issues arising under employment legislation. The fear, as expressed by my hon. Friends, is that the police are being used as a handmaiden of the employment legislation.

One of the areas of concern is the setting up of no-go areas and, accordingly, the stopping of potential picketers hundreds of miles and hours away from the picketing areas. The police of course can take action to anticipate a criminal offence but the courts have said that the arrestor must have a reasonable belief that a breach of the peace would be committed in the immediate future by the person arrested, and that there must be proved facts for such a reasonable belief, and a real possibility of a breach. I ask the House: where is the belief of imminence hundreds of miles and hours away; what facts justify a conclusion that every picketer stopped and turned back will break the peace as opposed to picketing peacefully; how can mass action of this kind be justified so as to deny the right by law to congregate or to persuade?

Some years ago, when there was a proposal to have a no-go area for secondary pickets, it was said:

"to stop everyone from entering a given area would mean creating areas where, if only temporarily, the right of passage along the highway and the right of free speech for the purposes of peacefully communicating and persuading no longer applied. Moreover, whatever the details of the proposal, it would again seem that the services of the police were being enlisted on behalf of the employer."

That proposal was rejected, rightly. The words I have quoted come directly from the Government's own Green Paper "Trade Union Immunities" of 1981. That was their view then and I hope it is their view now.

Hard cases hardly ever make good law. What we have heard in the debate must cause real concern. In the darker days of 1941 Lord Atkin said in a famous judgment:

"One of the pillars of liberty is that in English law every imprisonment is *prime facie* unlawful,"—

that means however short it is—

"and that it is for a person directing imprisonment to justify his acts."

In a memorable passage he said:

"In this country, amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace . . . I protest, even if I do it alone, against a strained construction put on words."

What was true then is true today. The House must continue to maintain its vigilance to protect the rights of all citizens and to see that wrong, whenever and wherever it is caused, is properly dealt with according to law.

6.44 pm

The Minister of State, Home Office (Mr. Douglas Hurd): It is only possible in the six minutes available to deal with one or two of the points which have emerged in this illuminating debate.

The right hon. Member for Plymouth, Devonport (Dr. Owen) was absolutely right in his analysis of the national reporting centre. We concur with his comments on that and with the comments of my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths). The national reporting centre fits absolutely into the pattern of policing based on local forces. It is not organised or inspired as a result of any desire for a national police force.

My hon. Friend the Member for Thanet, South (Mr. Aitken) was right to stress the local roots of our police. There will be occasions when the police themselves judge that mutual aid is necessary between forces. There will be occasions when the police need to co-ordinate that aid. That is the basis of the national reporting centre.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) produced, as we expected, a number of allegations, untested, unproved. All hon. Members will recognise that it is inevitable that such allegations should fly around during the course of an operation on this scale. Those who make the allegations have two possible remedies. There is the remedy of the courts and the remedy of the complaints system which involves the independent Police Complaints Board, as was pointed out by my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle), whom we are delighted to see in his place. Those are the remedies provided by Parliament. They are being and should be used where serious grievances are put forward. What they cannot be used for is to investigate the kind of generalised nonsense in which the right hon. Member for Gorton has been indulging in growing desperation during recent days. The only thing one can say to the right hon. Gentleman is that he is far surpassed by the right hon. Member for Chesterfield (Mr. Benn) who, as we have just seen, lives in a world of imagined conspiracies which has only to be exhibited to be seen as absurd.

The right hon. Member for Gorton was given every opportunity to face the crux of the whole matter, and to condemn or even to comment on picketing in such large numbers as 2,000 at Babbington yesterday and 1,000 at Cresswell. He equivocated and denied once, twice, thrice, until we could almost have felt sorry for him if he had not been swallowing exactly the same medicine that he dishes out so lavishly to others.

The quarrel of many Opposition Members is not with the behaviour of the police, but with the fact that the police are in action at all. They do not really want a change in the behaviour of the police; they want the police to go away and leave them free to apply illegal pressure. Underlying the attack on the police is a dangerous assumption that we hear constantly in the House that dealings between worker and worker should be somehow privileged, somehow above the law, and that intimidation can be ignored if it is the intimidation of one trade unionist by another.

That is bad law. What is worse, it is a doctrine absolutely poisonous to democracy and to the trade union movement. We wholly reject it. An individual who decides that he wishes to go to his place of work, and work there, is entitled to be protected from intimidation from

whatever source it comes—a point that was admirably made by my hon. and learned Friend the Member for Fylde (Sir E. Gardner).

The police will have to continue with their task as long as it is necessary. Of course, as many hon. Members have pointed out from their own experience, the police do not carry out that task with relish. There are many other duties which they would much prefer to be performing, as was pointed out by my hon. Friend the Member for Bury St. Edmunds. I do not think it has been mentioned so far in the debate that no fewer than 51 police officers have suffered injuries in this operation. However, the police are carrying out this task with patience, skill and courage. They are protecting one of the ancient and most important liberties of the citizen—his right to go about his lawful occasions in peace. The police deserve—and, so far as we are concerned, will continue to receive—our wholehearted support.

Question put, That this House do now adjourn:—

The House divided: Ayes 164, Noes 321.

Division No. 240]

[6.50 pm

AYES

Abse, Leo	Eadie, Alex
Adams, Allen (<i>Paisley N</i>)	Eastham, Ken
Anderson, Donald	Edwards, Bob (<i>W'h'mpt'n SE</i>)
Archer, Rt Hon Peter	Ellis, Raymond
Ashton, Joe	Evans, John (<i>St. Helens N</i>)
Atkinson, N. (<i>Tottenham</i>)	Ewing, Harry
Bagier, Gordon A. T.	Fatchett, Derek
Banks, Tony (<i>Newham NW</i>)	Field, Frank (<i>Birkenhead</i>)
Barron, Kevin	Fields, T. (<i>L'pool Broad Gn</i>)
Beckett, Mrs Margaret	Fisher, Mark
Bell, Stuart	Flannery, Martin
Benn, Tony	Foot, Rt Hon Michael
Bennett, A. (<i>Dent'n & Red'sh</i>)	Forrester, John
Birmingham, Gerald	Foster, Derek
Bidwell, Sydney	Foulkes, George
Blair, Anthony	Fraser, J. (<i>Norwood</i>)
Boothroyd, Miss Betty	Freeson, Rt Hon Reginald
Boyes, Roland	George, Bruce
Brown, Gordon (<i>D'f'mline E</i>)	Gilbert, Rt Hon Dr John
Brown, N. (<i>N'c'tle-u-Tyne E</i>)	Godman, Dr Norman
Brown, R. (<i>N'c'tle-u-Tyne N</i>)	Golding, John
Brown, Ron (<i>E'burgh, Leith</i>)	Gould, Bryan
Buchan, Norman	Hamilton, W. W. (<i>Central Fife</i>)
Callaghan, Jim (<i>Heyw'd & M</i>)	Harman, Ms Harriet
Campbell-Savours, Dale	Harrison, Rt Hon Walter
Canavan, Dennis	Hart, Rt Hon Dame Judith
Carter-Jones, Lewis	Heffer, Eric S.
Clark, Dr David (<i>S Shields</i>)	Hogg, N. (<i>C'nauld & Kilsyth</i>)
Clarke, Thomas	Holland, Stuart (<i>Vauxhall</i>)
Clay, Robert	Howell, Rt Hon D. (<i>S'heath</i>)
Cocks, Rt Hon M. (<i>Bristol S.</i>)	Hughes, Dr. Mark (<i>Durham</i>)
Cohen, Harry	Hughes, Robert (<i>Aberdeen N</i>)
Coleman, Donald	Hughes, Roy (<i>Newport East</i>)
Cook, Robin F. (<i>Livingston</i>)	Hughes, Sean (<i>Knowsley S</i>)
Corbett, Robin	John, Brynmor
Corbyn, Jeremy	Jones, Barry (<i>Alyn & Deeside</i>)
Cowans, Harry	Kaufman, Rt Hon Gerald
Craigen, J. M.	Kilroy-Silk, Robert
Cunliffe, Lawrence	Kinnock, Rt Hon Neil
Cunningham, Dr John	Leadbitter, Ted
Davies, Rt Hon Denzil (<i>L'III</i>)	Leighton, Ronald
Davies, Ronald (<i>Caerphilly</i>)	Lewis, Ron (<i>Carlisle</i>)
Davis, Terry (<i>B'ham, H'ge H'I</i>)	Lewis, Terence (<i>Worsley</i>)
Deakins, Eric	Litherland, Robert
Dewar, Donald	Lloyd, Tony (<i>Stretford</i>)
Dixon, Donald	Lofthouse, Geoffrey
Dobson, Frank	McCartney, Hugh
Dormand, Jack	McDonald, Dr Oonagh
Douglas, Dick	McKay, Allen (<i>Penistone</i>)
Dubs, Alfred	McKelvey, William
Duffy, A. E. P.	Mackenzie, Rt Hon Gregor
Dunwoody, Hon Mrs G.	McNamara, Kevin

McTaggart, Robert
 Marek, Dr John
 Marshall, David (*Shettleston*)
 Martin, Michael
 Maxton, John
 Maynard, Miss Joan
 Meacher, Michael
 Michie, William
 Mikardo, Ian
 Miller, Dr M. S. (*E Kilbride*)
 Mitchell, Austin (*G't Grimsby*)
 Morris, Rt Hon A. (*W'shawe*)
 Morris, Rt Hon J. (*Aberavon*)
 Nellist, David
 Oakes, Rt Hon Gordon
 O'Brien, William
 O'Neill, Martin
 Orme, Rt Hon Stanley
 Parry, Robert
 Patchett, Terry
 Pavitt, Laurie
 Pike, Peter
 Powell, Raymond (*Ogmore*)
 Prescott, John
 Randall, Stuart
 Redmond, M.
 Rees, Rt Hon M. (*Leeds S*)
 Richardson, Ms Jo
 Roberts, Allan (*Bootle*)
 Robertson, George
 Rooker, J. W.
 Ross, Ernest (*Dundee W*)

Rowlands, Ted
 Ryman, John
 Sedgemore, Brian
 Sheerman, Barry
 Sheldon, Rt Hon R.
 Shore, Rt Hon Peter
 Short, Ms Clare (*Ladywood*)
 Short, Mrs R. (*W'hampt'n NE*)
 Skinner, Dennis
 Smith, C. (*Isl'ton S & F'bury*)
 Smith, Rt Hon J. (*M'kl'ds E*)
 Snape, Peter
 Soley, Clive
 Spearing, Nigel
 Strang, Gavin
 Straw, Jack
 Thomas, Dafydd (*Merioneth*)
 Thomas, Dr R. (*Carmarthen*)
 Thompson, J. (*Wansbeck*)
 Thorne, Stan (*Preston*)
 Tinn, James
 Wardell, Gareth (*Gower*)
 Wareing, Robert
 Welsh, Michael
 Wigley, Dafydd
 Williams, Rt Hon A.
 Winnick, David
 Woodall, Alec

Tellers for the Ayes:
 Mr. James Hamilton and
 Mr. Frank Haynes.

NOES

Adley, Robert
 Aitken, Jonathan
 Alexander, Richard
 Alison, Rt Hon Michael
 Alton, David
 Amess, David
 Ancram, Michael
 Arnold, Tom
 Ashby, David
 Aspinwall, Jack
 Atkins, Rt Hon Sir H.
 Atkins, Robert (*South Ribble*)
 Atkinson, David (*B'm'th E*)
 Baker, Rt Hon K. (*Mole Vall'y*)
 Baker, Nicholas (*N Dorset*)
 Baldry, Anthony
 Banks, Robert (*Harrogate*)
 Batiste, Spencer
 Beggs, Roy
 Beith, A. J.
 Bellingham, Henry
 Bendall, Vivian
 Bennett, Sir Frederic (*T'bay*)
 Benyon, William
 Berry, Sir Anthony
 Best, Keith
 Bevan, David Gilroy
 Biffen, Rt Hon John
 Biggs-Davison, Sir John
 Blaker, Rt Hon Sir Peter
 Body, Richard
 Bonsor, Sir Nicholas
 Boscawen, Hon Robert
 Bowden, A. (*Brighton K'to'n*)
 Bowden, Gerald (*Dulwich*)
 Boyson, Dr Rhodes
 Brandon-Bravo, Martin
 Bright, Graham
 Brinton, Tim
 Brittan, Rt Hon Leon
 Brooke, Hon Peter
 Brown, M. (*Brigg & Cl'thpes*)
 Browne, John
 Bruce, Malcolm
 Bruinvels, Peter
 Buck, Sir Antony

Budgen, Nick
 Bulmer, Esmond
 Burt, Alistair
 Carlile, Alexander (*Montg'y*)
 Carlisle, John (*N Luton*)
 Carlisle, Kenneth (*Lincoln*)
 Carlisle, Rt Hon M. (*W'ton S*)
 Carttiss, Michael
 Cartwright, John
 Chalker, Mrs Lynda
 Channon, Rt Hon Paul
 Chapman, Sydney
 Chope, Christopher
 Churchill, W. S.
 Clark, Hon A. (*Plym'th S'n*)
 Clark, Dr Michael (*Rochford*)
 Clark, Sir W. (*Croydon S*)
 Clarke, Rt Hon K. (*Rushcliffe*)
 Cockeram, Eric
 Colvin, Michael
 Conway, Derek
 Coombs, Simon
 Cope, John
 Cormack, Patrick
 Couchman, James
 Crouch, David
 Currie, Mrs Edwina
 Dickens, Geoffrey
 Dicks, Terry
 Dorrell, Stephen
 Douglas-Hamilton, Lord J.
 Dover, Den
 Dunn, Robert
 Durant, Tony
 Dykes, Hugh
 Edwards, Rt Hon N. (*P'broke*)
 Emery, Sir Peter
 Evennett, David
 Eyre, Sir Reginald
 Fairbairn, Nicholas
 Fallon, Michael
 Farr, John
 Favell, Anthony
 Fookes, Miss Janet
 Forman, Nigel
 Forsyth, Michael (*Stirling*)

Forsythe, Clifford (*S Antrim*)
 Fox, Marcus
 Franks, Cecil
 Fraser, Peter (*Angus East*)
 Freeman, Roger
 Fry, Peter
 Gale, Roger
 Galley, Roy
 Gardiner, George (*Reigate*)
 Gardner, Sir Edward (*Fylde*)
 Gilmour, Rt Hon Sir Ian
 Goodhart, Sir Philip
 Goodlad, Alastair
 Gorst, John
 Gow, Ian
 Greenway, Harry
 Gregory, Conal
 Griffiths, E. (*B'y St Edm'ds*)
 Griffiths, Peter (*Portsm'th N*)
 Grist, Ian
 Ground, Patrick
 Grylls, Michael
 Gummer, John Selwyn
 Hamilton, Hon A. (*Epsom*)
 Hamilton, Neil (*Tatton*)
 Hampson, Dr Keith
 Hanley, Jeremy
 Hannam, John
 Harvey, Robert
 Haselhurst, Alan
 Havers, Rt Hon Sir Michael
 Hawkins, C. (*High Peak*)
 Hawkins, Sir Paul (*SW N'folk*)
 Hawksley, Warren
 Hayes, J.
 Hayhoe, Barney
 Hayward, Robert
 Heath, Rt Hon Edward
 Heathcoat-Amory, David
 Henderson, Barry
 Hickmet, Richard
 Hicks, Robert
 Higgins, Rt Hon Terence L.
 Hill, James
 Hind, Kenneth
 Hirst, Michael
 Holland, Sir Philip (*Gedling*)
 Holt, Richard
 Hooson, Tom
 Hordern, Peter
 Howard, Michael
 Howarth, Alan (*Stratf'd-on-A*)
 Howell, Rt Hon D. (*G'ldford*)
 Howell, Ralph (*N Norfolk*)
 Howells, Geraint
 Hubbard-Miles, Peter
 Hunt, David (*Wirral*)
 Hunt, John (*Ravensbourne*)
 Hunter, Andrew
 Hurd, Rt Hon Douglas
 Jenkin, Rt Hon Patrick
 Jenkins, Rt Hon Roy (*Hillh'd*)
 Johnson-Smith, Sir Geoffrey
 Jones, Robert (*W Herts*)
 Jopling, Rt Hon Michael
 Joseph, Rt Hon Sir Keith
 Kennedy, Charles
 Key, Robert
 King, Roger (*B'ham N'field*)
 King, Rt Hon Tom
 Knight, Gregory (*Derby N*)
 Knight, Mrs Jill (*Edgbaston*)
 Knowles, Michael
 Knox, David
 Lamont, Norman
 Lang, Ian
 Latham, Michael
 Lawler, Geoffrey
 Lawson, Rt Hon Nigel
 Lee, John (*Pendle*)

Leigh, Edward (*Gainsbor'gh*)
 Lester, Jim
 Lewis, Sir Kenneth (*Stamf'd*)
 Lilley, Peter
 Lloyd, Ian (*Havant*)
 Lloyd, Peter, (*Fareham*)
 Lord, Michael
 Lyell, Nicholas
 McCrindle, Robert
 McCurley, Mrs Anna
 Macfarlane, Neil
 MacGregor, John
 MacKay, John (*Argyll & Bute*)
 Maclean, David John
 MacLennan, Robert
 McQuarrie, Albert
 Major, John
 Maples, John
 Marlow, Antony
 Mates, Michael
 Mather, Carol
 Mawhinney, Dr Brian
 Maxwell-Hyslop, Robin
 Mayhew, Sir Patrick
 Mellor, David
 Meyer, Sir Anthony
 Miller, Hal (*B'grove*)
 Molyneaux, Rt Hon James
 Monro, Sir Hector
 Montgomery, Fergus
 Moore, John
 Morris, M. (*N'hampton, S*)
 Morrison, Hon C. (*Devizes*)
 Morrison, Hon P. (*Chester*)
 Neubert, Michael
 Nicholls, Patrick
 Nicholson, J.
 Norris, Steven
 Onslow, Cranley
 Ottaway, Richard
 Owen, Rt Hon Dr David
 Page, John (*Harrow W*)
 Page, Richard (*Herts SW*)
 Parkinson, Rt Hon Cecil
 Parris, Matthew
 Pattie, Geoffrey
 Pawsey, James
 Peacock, Mrs Elizabeth
 Penhaligon, David
 Pollock, Alexander
 Powell, Rt Hon J. E. (*S Down*)
 Powell, William (*Corby*)
 Powley, John
 Prentice, Rt Hon Reg
 Price, Sir David
 Proctor, K. Harvey
 Pym, Rt Hon Francis
 Raffan, Keith
 Raison, Rt Hon Timothy
 Rathbone, Tim
 Rees, Rt Hon Peter (*Dover*)
 Rhodes James, Robert
 Rifkind, Malcolm
 Rippon, Rt Hon Geoffrey
 Roberts, Wyn (*Conwy*)
 Robinson, Mark (*N'port W*)
 Roe, Mrs Marion
 Ross, Stephen (*Isle of Wight*)
 Ross, Wm. (*Londonderry*)
 Rossi, Sir Hugh
 Rost, Peter
 Rowe, Andrew
 Rumbold, Mrs Angela
 Ryder, Richard
 Sainsbury, Hon Timothy
 St. John-Stevas, Rt Hon N.
 Sayeed, Jonathan
 Scott, Nicholas
 Shaw, Sir Michael (*Scarb'*)
 Shelton, William (*Streatham*)

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The Policing of the Miners' Dispute

10th April 1984

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3. The National Reporting Centre
4. The role of the Home Secretary
5. The Police and the Law
6. Road Checks
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9. Appendices

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THE POLICING OF THE MINERS' DISPUTE

1. Background

The partial strike of the NUM now taking place is a consequence of the National Executive devolving decisions on striking to local areas. Some area executives called men out; others conducted a ballot of their members (See Appendix A). The result of this has been considerable picketing by those on strike of collieries where the men had voted to carry on working.

The scale of the picketing has been great - well in excess of TUC guidelines. On occasions, the Press have reported as many as 2,800 pickets operating on a single day (23rd March). On 15th March, a man died at Ollerton, Nottinghamshire, and other occasions of violent confrontation have occurred.

As the Home Secretary, Mr Leon Brittan, said in a statement on 15th March, "Any attempt to obstruct or intimidate those who wish to go to work is a breach of the criminal law. The mere presence of large numbers of pickets can be intimidating. The police have a duty to prevent obstruction and intimidation, and enable those who wish to go to work to do so. They have the power to stop and disperse large numbers of pickets, and to take preventative action by stopping vehicles and people". (Hansard, 15th March 1983, Col. 512)

The number of police involved has been in response to the large number of pickets. Their use has been a consequence of the judgement of chief constables seeking to preserve the police. Mr Brittan confirmed: "I have made it clear to the chief constables concerned that they have my complete support in taking every measure available to them within the law to keep the peace and protect the right to work and vote." (Hansard, 15th March 1983, Col.513).

2. The Organisation of Policing

(i) The Home Secretary

The Home Secretary has overall responsibility to Parliament, as laid down in statute, for law and order. He must satisfy himself that each of the 43 police forces in England and Wales are run efficiently, relying on reports from Her Majesty's Inspectorate of Constabulary to monitor the situation. He is entitled to call for reports from Chief Officers, but he has no power to direct the operations of the police.

(ii) Police Authorities

With the exception of London, where the Home Secretary is police authority, these are composed of elected county councillors and magistrates. They appoint the chief officers (subject to the Home Secretary's approval), and have responsibility for the control of the budgets of the police forces they supervise. It is the duty of all police authorities to maintain an adequate and efficient force, and in consequence they discuss general issues of policing policy with the Chief Constable of their force. However, operational decisions remain the responsibility of the Chief Constable and he is answerable to the courts for those decisions.

(iii) Funding of Police Forces

The Home Office pays, through the police grant, half the cost of policing. The remaining 50 per cent is funded from the rates, levied as a result of a precept by the Police Authority. In addition, the Home Office provides a wide range of services to police forces (for example to assist with training and the provision of equipment.) Although operational decisions of a Chief Constable may have financial implications, police authorities do not use these additional costs to attempt to influence the Chief Constable's professional judgement.

Section 14 of the Police Act 1964 requires the police authority of a force requiring mutual aid to pay the police authority providing such aid as a contribution towards the costs agreed upon by the two authorities.

3. The National Reporting Centre (NRC)

Under the terms of the Police Act 1964, chief constables are empowered to request mutual aid from colleagues when necessary. Where a problem is localised, such aid is arranged directly. In the event of more widespread difficulty, in which a number of forces are either seeking or supplying aid, arrangements are co-ordinated centrally by the National Reporting Centre, run by the current President of the Association of Chief Police Officers.

The Labour Party appear to regard the use of NRC as being a step towards a national police force and thus a move away from local accountability of the police. In fact, the NRC only exists as a consequence of the local basis of policing in this country, to deal with emergencies. If the arrangements for the NRC were not so based, it is likely that some form of national police force would be required.

4. The Role of the Home Secretary

The National Reporting Centre is run independently of the Home Secretary. He is entitled to call for reports from chief constables detailing deployment of police officers, but is not empowered to give them orders. Chief constables remain operationally independent.

Section 14 (1) of the Police Act 1964 establishes the right of chief officers of police to apply to colleagues for mutual aid. It is this section of the Act that has applied to recent circumstances. Section 14 (2) permits the Home Secretary to direct that police forces may provide mutual aid, though he may not make operational directions. In the present emergency, the powers under Section 14 (1) have worked well, and there has been no call for the use of the reserve powers of Section 14 (2).

5. The Police and the Law

Some of the more extravagant members of the Labour Party have suggested that the treatment of picketing during the miners' dispute shows that Britain is becoming a 'police state'.

This ignores two crucial points. Firstly, it is a prerequisite of the 'police state' that the police serve the government of that state. This is manifestly not the case in Britain; the police are not the servants of government, but of the law. Secondly, the actions of the police are not above the law, which applies to them as it does to all other citizens. In the event that police officers have exceeded their powers, or if their behaviour gives rise to complaint, procedures exist to investigate the allegations.

Complaints about the actions of individual police officers are recorded and investigated as required by law. Each investigation is subject to the independent scrutiny of the Director of Public Prosecutions and the Police Complaints Board, who deal with criminal and disciplinary matters respectively.

The Police and Criminal Evidence Bill, currently before Parliament, proposes both substantial improvements to this system, and strengthening of the independent element of supervision. It is a reflection of the changes within the Labour Party, and its current state of confusion, that they oppose these measures on the grounds that they do not go far enough when the current complaints procedure was set up only eight years ago by the last Labour Government.

6. Road Checks

During the dispute, police have stopped vehicles appearing to be carrying pickets from one area to another. The occupants have been advised that police forces in the area to which they were travelling (especially Nottinghamshire) fear that there might be a breach of the peace, and that as a result, pickets might be stopped before reaching their destination.

The Labour Party, in attacking this police action, have sought at the same time to raise public fears about the provisions for road checks in the Police and Criminal Evidence Bill. This is misleading, for the Bill, in accordance with the recommendations of the Royal Commission on Criminal Procedure, restricts and regulates the present ability of the police to set up road checks for the purposes of detecting criminal offences. The Bill does not deal with the power of the police to obstruct roads in order to prevent a breach of the peace. The Royal Commission on Criminal Procedure, on whose report the Bill is based, made it clear that the powers of the police which flow from their duty to prevent public disorder were outside their terms of reference - powers which were of course given to them by the Labour Government of the day.

Written Answers to Questions

Friday 16 March 1984

ATTORNEY-GENERAL

Picketing (Criminal Law)

Mr. Steen asked the Attorney-General whether, in view of the recent activities of pickets, he will make a statement on the criminal law on picketing.

The Attorney-General: The statement that I made to the House on 19 February 1980 still applies in all its essentials, though there have, since that date, been certain changes in the relevant civil law which I shall explain later in this answer.

So far as the criminal law is concerned, the position is, as it always has been, that the criminal law of the land applies to pickets as it does to anybody else. Picketing is permissible, in terms of criminal law, only if it is peaceful picketing, that is to say, it is carried out for the purpose of peacefully obtaining or communicating information or peacefully persuading another person to work or not to work. The freedom to picket is not a licence to obstruct or intimidate.

This reflects the fundamental proposition of our law that each of us has the right to go about his daily work free from interference by anybody else. Each one of us is free, as an individual, to come and go as he pleases to his place of work. The law specifically protects our enjoyment of this right. If any one tries to deter us from exercising it by violence or intimidation or obstruction, he is breaking the law and may be punished. The freedom to picket does not confer or imply any right to stop vehicles: still less do pickets have the right to stop people going about their lawful business. Pickets have no right to link arms or otherwise prevent access to the place that they are picketing.

If pickets by sheer numbers seek to stop people going to work, they are not protected by the law since their purpose is to obstruct rather than persuade. The courts have recognised that the police may limit the number of pickets in any one place where they have reasonable cause to fear a breach of the peace. This may involve not only asking some of those present to leave but also preventing others from joining the pickets. In this connection, the code of practice which was issued under the Employment Act 1980, with the approval of both Houses of Parliament, indicates that in general the numbers of pickets should not exceed six at any entrance to a workplace. The 1980 Act itself provides that the provisions of the code of practice may be taken into account in proceedings before a court.

It is, of course, primarily the duty of the police to uphold and enforce the criminal law. It is for them to decide, consistently with that duty, what action any particular situation requires them to take. But there is no doubt that if a constable reasonably comes to the conclusion that persons are travelling for the purpose of taking part in a picket in circumstances where there is

likely to be a breach of the peace, he has the power at common law to call upon them not to continue their journey and to call upon their driver to take them no further. Any person who fails to comply with a police request in those circumstances will be committing the offence of obstructing a police officer in the course of his duty.

Turning now from the criminal to the civil law, it is and always has been a civil wrong to persuade someone to break his contract of employment or to secure the breaking of a commercial contract. However, the Trade Union and Labour Relations Act 1974, as amended, gives immunity from liability in respect of such a civil wrong to pickets who are acting in contemplation or furtherance of a trade dispute. But, since the Employment Act 1980, this immunity operates only for the benefit of a person who is attending a picket at or near his own place of work or for the benefit of a trade union official attending a picket at or near the place of work of a union member whom he is accompanying and whom he represents; and in either case only if the purpose of the picket is peacefully to obtain or communicate information or peacefully to persuade any person to work or not to work. Since the Employment Act 1982, trade unions themselves may be held liable for organising picketing which involves the commission of a civil wrong.

I hope that this re-statement of the legal position, which the Lord Advocate agrees reflects the main principles of the law of Scotland also, will serve to remove any doubts that might remain in any quarter about the strict limits within which pickets may seek to press their views on their fellow-citizens. As I said in my earlier statement to the House, it is the function of the law to protect the right of every person to make his own decision, free from violence or any other form of intimidation, on whether or not to work. The law permits no interference with that right and recognises no privilege or immunity vested in any person, merely because he is engaged in picketing, to act in a way which constitutes a criminal offence. That has always been the law and I am sure that those responsible for enforcing it will have the support and encouragement of the vast majority of the people of this country in ensuring that it is indeed enforced vigorously and without fear or favour.

THE LAW ON INDUSTRIAL ACTION as it affects the Miners Dispute.

THE EMPLOYMENT ACT 1980:

- * restricts lawful picketing to a picket's own place of work;
- * makes unlawful secondary industrial action which is not directed at the business of the employer in dispute.

THE EMPLOYMENT ACT 1982:

- * makes trade unions liable to be sued if they organize unlawful industrial action;
- * restricts lawful trade disputes to disputes between workers and their own employer about, for example, their pay, conditions and jobs.

When is Industrial Action Lawful?

When a trade union or individual organizes industrial action which interferes with contracts, or threatens to do so, there are four basic questions to be asked in deciding whether the trade union or individual is acting lawfully:

- * Is there a trade dispute and has the action been called in contemplation or furtherance of that trade dispute?
- * Is it unlawful secondary action?
- * Does the action involve secondary picketing?

Secondary Picketing

There is also no legal protection for those who organize or take part in secondary picketing - that is, picketing at a place other than the picket's own place of work. This is so whether or not the picketing is in contemplation or furtherance of a trade dispute.

What constitutes lawful picketing is defined in Section 125 of the 1974 Act as amended by Section 16 of the 1980 Act. This provides that picketing is now lawful only if:

- * The person is picketing at or near his or her own place of work;
- * The purpose of the picketing is peacefully to obtain or communicate information, or peacefully to persuade a person to work or not to work.

Where picketing does not satisfy the conditions set out above it has no legal immunity and the pickets or their organizers may be taken to court by those who are damaged by the picketing. Picketing which is not peaceful - for example, if it involves violent or abusive behaviour or involves obstruction of the highway - may also be a criminal offence; and in such circumstances those responsible may be arrested and prosecuted by the police.

Code of practice on picketing

More detailed information about the law on picketing is contained in the 'Code of Practice: Picketing' issued under the powers given to the Secretary of State for Employment in Section 3 of the 1980 Act. This outlines the law on picketing and gives practical guidance on its conduct. Copies are available free of charge from Jobcentres, employment offices and unemployment benefit offices.

Summary of Legal Position

To sum up, then, the law does not protect those organizing industrial action and those taking part in picketing from being sued for inducing breaches of contract if:

- * the action is not in contemplation or furtherance of a trade dispute;
- * the action is unlawful secondary action;
- * the action constitutes secondary picketing;
- * the action is being taken against persons because they employ non-union (or union) labour or because they do not recognize a union;
- * those concerned commit unlawful acts other than inducing breaches of contract.

Trade union immunities are primarily concerned with civil not the criminal law. It is not a criminal offence to strike. But if in the course of a strike someone commits a criminal offence (for example, by assaulting another person or damaging someone's property), he or she has no special protection and is just as liable to be prosecuted by the police as any other member of the public.

APPENDIX A

Results of local ballots on strikes

NUM Area	Number Voting	% Against Strike (remainder voting for)
Derbyshire	8,360	50.1
Nottinghamshire	27,473	73.5
Northumberland	Not released	48
Leicestershire	1,614	89
South Derbyshire	2,756	83.6
Lancashire	6,360	59.2
Cumbria	492	78
Midlands	10,360	73
North Wales	871	68.3

Nottinghamshire delegate conference on 5 April 1984

On 5 April a meeting of 258 Nottinghamshire delegates (Branch officials and committee members) voted by 186 to 72 to overturn a previous recommendation of the area executive committee that the Nottinghamshire miners should set up their own picket lines and that members should be advised not to cross them.

APPENDIX B

Numbers of pits working/on strike

Date	Working Normally	Not Working
12.3.84	92	83
19.3.84	44	116
23.3.84	38	125
26.3.84	37	132
30.3.84	38	130
2.4.84	40	120
3.4.84	43	121
4.4.84	42	123
5.4.84	40	121
6.4.84	41	121

In addition, a small number of pits have been partially manned; some of these are producing small amounts of coal.

COVERING SECRET

For Wednesdays
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coal
RVP



SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
01 211 7214

Andrew Turnbull Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON SW1

9 April 1984

Dear Madam

CEGB POWER STATION ENDURANCE

As discussed on Friday I attach a further report for the Prime Minister.

Yours

Michael

M F REIDY
Private Secretary

COVERING SECRET



CC M Gregson CO

CEGB POWER STATION ENDURANCE

1. Coal stocks at CEGB power stations this weekend (7/8 April) are expected to be about 19½ mt.
2. NCB coal production this past week has been about 0.5 mt. Deliveries to power stations, which have been affected by problems on the railways, are estimated at about 0.35 mt. Coal burn this week is about 1.6 mt.
3. CEGB oil burn has now reached 50 per cent of maximum. A further 25 per cent is planned next week. Arrangements for oil supplies have been made for April and into May. Price perturbation on the spot market thus far has been fairly modest.
4. Power station endurance has not changed significantly since last week's report. The objective of six months endurance from the start of the strike should be attainable with no further coal deliveries provided that maximum oil burn can be sustained and that power station staff work according to their duties. Continued coal supplies are a bonus.

Coal Deliveries (tonnes per week)	Oil burn (% of max)	Endurance (months from start)	Endurance (end of period)
0	100	6	late September
0	50	5	<u>late August</u>
0.5	100	11	February 1985
0.5	50	8	November

Department of Energy
6 April 1984

PRIME MINISTER

Coal Industry Dispute: Presentation for Panorama

I attach a copy of Mr. MacGregor's article in Thursday's Evening Standard. This is an exemplary presentation of the Government/NCB case on coal. He has rightly refused to be drawn into the higher politics and has kept attention firmly on the issues of the industry. On television last night, he successfully deployed an additional argument, that this dispute is not just about jobs in coal but, through making low cost coal available, about jobs for the rest of the economy.

For Panorama, you could develop five themes:

- (i) As far as the Government is concerned this is not a dispute about the future of trade unions or the working class, but about how to achieve a well paid, efficient and prosperous industry producing cheap coal.
- (ii) The theme should be "Think about it"
- think about the pay offer;
 - think about the Government's record of investment;
 - think about the generous provision for early retirement and remember that the manpower run-down will require few if any compulsory redundancies and that such as there are will attract generous redundancy terms;
 - think about the facts on production where the cut sought is only 4% but is necessary to bring production into line with demand;
 - think about the facts on imports where the UK is a net exporter and imports are largely for special coals.
- (iii) Workers in other unions should think about who it is they wish to support - those who have voted to continue working or those who wish to deny this opportunity to others.

/ (iv)

- (iv) On trade union legislation you should emphasise that this provides an additional remedy but it is up to the employer who wishes to protect either his business or the position of his employees to decide whether and when to seek such remedies.
- (v) On law and order you will want to defend the role of the police and to emphasise that they are acting in defence of the common law. You could turn the question round by asking whether the police should have stood aside and shrugged their shoulders, saying the problem was too big. The need for such a large deployment of police is regrettable but there is substantial understanding that it has been necessary to prevent pickets, by weight of numbers and intimidation, from preventing those who wish to do so from getting to their place of work.

~~AT~~

6 April 1984

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P.01268

PRIME MINISTER

Coal: MISC 101(84)8th Meeting

You will wish to stick to the normal format:

- reports;
- discussion;
- action to be taken.

2. Subject to developments by the time of the meeting you may wish to pursue the following points in particular:

- i. any change in the number of pits and miners working;
- ii. the extent and effectiveness of sympathetic action by the rail unions, TGWU and seamen;
(there have been occasional reports of the odd oil train being turned back by the pickets; we also need to know whether action by the TGWU within power stations is significantly restricting the movement of coal to those stations)
- iii. the room available to stock coal at the Nottinghamshire pits;
(although many coal trains are still moving, the movement is presumably less than normal from those pits; it would be a pity if some of the Nottinghamshire pits had to stop working or reduce output as a result)
- iv. the latest information about the effects on the steel industry and other main coal-using industries;

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3.

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also handling
of any Debate
in the House.

v. any problems over the handling of the media, particularly with a view to your Panorama broadcast; (eg phone tapping, costs to the consumer of increased oilburn)

Next meeting

3. On present information it looks as if the next meeting could be arranged, if you so wished, at 9.45am on Wednesday 11 April.

PLG

P L GREGSON

6 April 1984

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P.01267

PRIME MINISTER

Coal: MISC 101(84)7th Meeting

You will wish to stick to the usual format:

- reports
- discussion
- action to be taken.

2. Subject to developments by the time of the meeting, you may wish to pursue the following points in particular:

i. any change in the number of pits and miners working;

(it has just been reported that the Nottinghamshire NUM Executive will be considering a proposal on Thursday that they should set up their own pickets at Nottinghamshire pits and advise their members not to cross picket lines)

ii. the extent and effectiveness of sympathetic action by the rail unions, TGWU and seamen;

(the NUR resolution bans the movement of coal or coke "unless a specific request is made by the NUM", presumably to accommodate any agreed dispensations; this is perhaps a loophole which the Nottinghamshire NUM Executive could exploit if it so wished)

iii. how much room is there to stock coal at pits, particularly in Nottinghamshire, where miners are still working;

(although coal at the pitheads which cannot be moved is

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irrelevant to endurance, it is important psychologically for the Nottinghamshire miners to be able to continue working until there is a national ballot)

iv. whether there is any cause for concern about carbon dioxide supplies to nuclear stations;

(there is a story on page 2 of today's Guardian about pickets from South Wales turning away a carbon dioxide tanker from the Trawsfynydd station in North Wales)

v. the latest assessment of the scope for, and desirability of, civil action in the courts;

vi. the latest information about the effects on the steel industry and other main coal using industries.

Next meeting

3. There will be a short discussion under the Industrial Affairs item at Thursday's Cabinet. Unless there are developments requiring decisions before the weekend, you will presumably want the next meeting to be arranged on Monday.

PLG

P L GREGSON

3 April 1984

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PART

8

ends:-

AT to PM 30.3.84

PART

9

begins:-

MISC 101 (84) 6th Minutes 2.4.84