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John Nott

N 10/7

10 November 1980

John Nott

You wrote to me on 20 October about the question of special legislation to meet the Nawala type situation - ie where industrial action is taken against the owner of a ship whose current (ie flag of convenience) crew have no dispute with their employer.

I am surprised that you should raise this issue at this juncture. The Nawala, according to my information, is currently visiting the UK under a new name and is not being blacked. I am not aware of any further instances of successful blacking of ships in such circumstances since the Nawala dispute. In my view it would be most imprudent for the Government at this time to announce a firm intention to introduce legislation which would deprive British seamen of any means of taking lawful industrial action if their employer had replaced them with a foreign crew. Such an announcement, when the jobs of some British seamen are being threatened by their employer's plans to turn their ships over to flags of convenience crews, would invite an immediate stepping up of industrial action. I do not think that these are the circumstances in which we could conceivably carry public opinion with us. And I do not imagine that the shipping companies would welcome an announcement which of itself gave them no practical assistance but which increased their immediate industrial troubles.

I do not read the decision at E on 24 March as committing us to such an announcement in the Green Paper. We are a long way from knowing how this particular problem might best be tackled in legislation. (The Employment Act has, of course, already made unlawful indiscriminate secondary action such as an all out seaman's strike in sympathy with a dispute involving only specific ships or a specific shipping company). I am therefore proposing that the options should be canvassed in the Green Paper in the same way as the options for other, more general changes in the law.

I am copying this letter to the recipients of yours.

John Nott

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