

PRIVATE & CONFIDENTIALPrime MinisterThe Closed Shop - European Convention on Human Rights.

1. Norris McWhirter lunched with me today.
2. The Adopted Opinion of the European Commission on Human Rights has to be delivered to the Committee of Ministers before the end of this month.
3. This Opinion was signed on 14th December, 1979. The Committee of Ministers are the Foreign Ministers of the twenty-one European countries which signed the Convention.
4. McWhirter has not seen this Opinion, but its contents have been leaked to him. Apparently, this Opinion says, in effect, that the United Kingdom will be in breach of the Convention even after our Employment Bill has reached the Statute Book.
5. A copy of the Opinion will, of course, be sent to Peter Carrington. When it is received, I think that we ought to ask Ian Percival for his opinion as to whether we would continue to be in breach of the Convention after our Bill has become law. The political dangers to us of remaining in breach of the Convention on a Human Rights issue are obvious.
6. McWhirter told me, in confidence, that he had, this morning seen John Gorst, who is a member of the Employment Bill Standing Committee. Apparently, Gorst is going to table amendments to the Bill, in Committee which would have the effect of banning the Closed Shop, and bring us within the provisions of the Convention. I have not seen Gorst at this stage.
7. As you know, Bill DeLL'Isle and Norris McWhirter, and the Free Nation, are absolutely determined to do their utmost to put an end to the growing tyranny of the Closed Shop in this country. They believe, and in this they are supported by their own QC, John Hall, who argued the railway men's case before the Commission, that the Commission's Adopted Opinion (though not yet received) is a most powerful weapon in their hands.

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Ian Gow