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PRIME MINISTER

Coal Dispute: Picketing

Picketing at Orgreave today was much less than last week. About 1,000 pickets gathered, compared with around 3,000 on the same day last week, and apart from one "push" when the second convoy left, created no problems. Two policemen were hurt (against about 20 each day last week) and only one arrest was made. I understand that the question of an injunction by BSC was discussed at a meeting between Mr. Tebbit and Mr. Haslam; a further meeting between these two and Mr. Walker and Mr. MacGregor will take place tomorrow morning. The feeling was that BSC would not want to pursue litigation over Orgreave, basically because it felt it was winning. It was getting enough coke from Orgreave and, quietly through imports, to supply Scunthorpe. And the position was unlikely to be improved and could be worsened by the civil action. In effect, the same balance of risks that has led the NCB to stay its hand has prevailed.

You raised the question of whether it was right "to leave the police in the firing line" while no action was being taken in the civil courts. The key question is whether, apart from moral support, the police would be any less in the firing line. Given the nature of the NUM, it is unlikely that, following an injunction, picketing would be less at any site. A union which is prepared to challenge the criminal law would be likely to challenge the civil law. The police would be in the same position. In addition, if refusal to pay an injunction led to sequestration, (and there would be no point in pursuing civil action if it were not to be followed up), the police could be enforcing the civil law as well, eg in helping the sequestrators to gain access to NUM premises. It must be doubtful whether this

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would help the police; indeed it appears that the police themselves do not consider there is much to be gained from civil action - see attached letter.

The Attorney General has now issued his paper on legal aspects of the coal dispute. While you may want to glance at it, it is too large and the issues too complex to be taken at MISC 101 tomorrow. You should, however, agree the forum in which it will be discussed.

AT

ANDREW TURNBULL

4 June 1984

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