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PRIME MINISTER

Coal: MISC 101(84)19th Meeting

You will probably wish to concentrate on two main subjects:

i. NCB/NUM talks

- is there, as Mr MacGregor said on Friday, a new mood of realism in the NUM?
Is breakdown still the most likely outcome and, if so, when will it occur and how should it be managed?
- should anything be done to counter the impression in the media that it is the NCB that is anxious to give ground in the negotiations, because of anxieties about geological damage?

ii. Support from other unions

- have rail movements been significantly affected by the recent meetings at the Shirebrook depot?
- is there any danger of effective interference with oil deliveries, bearing in mind the reported arrival shortly of a Russian tanker at the Kingsnorth Power Station in the Thames Estuary?

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Attorney General's paper MISC 101(84)2

2. The Attorney General's paper on the criminal and civil law has now been circulated as MISC 100(84)2. If the question of legal remedies arises at tomorrow's meeting, it will provide



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useful background. Ministers have not however been warned to expect a substantive discussion of the paper and will not be briefed for this purpose.

3. There are two specific proposals in the paper, both relating to the civil law:

i. that further consideration should be given to the creation in English law of a summary offence similar in scope to unlawful assembly;

ii. consideration should be given as to whether contingency plans should be made for an adverse ruling on the law relating to the right of police to require those journeying to a picket to turn back.

Neither of these is an urgent matter. On i. it is admitted that there is no prospect of primary legislation in the near future. As to ii. the case before the Nottingham magistrates was last week referred to the Divisional Court on 30 June on a matter of procedure. Even if there is an adverse ruling, there are likely to be appeals and it may be some time before the matter is resolved. In any case primary legislation to reverse the position would be highly controversial and it is extremely unlikely that it could be achieved in the current Session.

4. You may feel therefore that it is sufficient to regard the Attorney General's paper as for background information only for the time being. If however you would like to have a substantive discussion of it at the next MISC 101 meeting on Monday 18 June, we shall need to warn Ministers to come briefed for this purpose.

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Next meeting

5. The next opportunity for a discussion will be under the Industrial Affairs item at the Cabinet on Thursday 14 June.

PLG

P L GREGSON

11 June 1984

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