

Prime Minister

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MR TURNBULL

19 June 1984

COAL AND CIVIL INJUNCTIONS

The following thoughts could be discussed at tomorrow's MISC 101:

The activities of Scargill's shock troops are a clear case of secondary picketing. Violence and intimidation in Nottinghamshire and on the scale which we saw yesterday at Orgreave are unacceptable and an affront to both the civil and criminal law. It is one of Scargill's few remaining options to focus attention on selected sites through mob tactics and we must think carefully about the correct response.

Civil Injunctions - The original argument was that civil injunctions should only be imposed when commercial business was being threatened. Despite extreme provocation this has not happened. However current mob violence is such that there is an urgent need to reconsider the use of civil injunctions and criminal charges.

If we do propose civil injunctions, the first response should be for the NCB to resume its court action against the Yorkshire area of the NUM or for BSC to take out an injunction against the Yorkshire NUM. It would be inappropriate to take prior action against ASLEF or the NUR. BSC are seriously worried that they will have to shut down production at Llanwern this week and we should not stand in their way if they wish to bring an injunction.

The advantages of an injunction at the present time are:

- ✓ To demonstrate that the NCB/BSC will not be bullied.
- ✓ - To show that the Government's union legislation is not a dead letter.
- ✓ - To show the Government's resolve to respond to violence and intimidation. This could well provide a boost to moderate miners.
- ✓ - To isolate the militants and more clearly define where an industrial dispute ends and a political campaign begins.
- ✓ - NUM would suffer penalties for its actions.

The factors against are:

- a more militant reaction by the hard core of Scargill supporters;

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- sympathy strikes by other unions;
- to raise the political as opposed to industrial profile of the dispute, thereby keeping the miners in the headlines;
- and most importantly that it might not deter secondary picketing.

Until yesterday the pros and cons were finely balanced. Even after yesterday any decision must be based on an assessment of the above factors rather than upon an emotional response. Nevertheless, if Scargill continues to promote massed battles, ~~and~~ the legitimate business of industry is disrupted, we recommend that the NCB or BSC should be ready to take civil remedies. Such action would need to be clearly seen by the miners and the public at large as a direct response to unacceptable scenes of mob rule, or to a commercial breakdown which threatens other unions' jobs.

whether or  
not

Criminal charges - We should not hesitate to bring criminal charges against those responsible for incidents witnessed yesterday. If there is sufficient evidence to bring a charge of incitement to riot against Scargill, this should be seriously considered, although he would undoubtedly revel in martyrdom. Nevertheless, it is significant that every time he attends a mass picket it ends in violence.

DUP.

DAVID PASCALL

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Prime Minister

BS lawyers have all to  
documentation ready to  
seek an injunction at short  
notice. The issue tomorrow  
is whether a clear enough  
picture has emerged at  
Llanwern by the time of  
the meeting to on which to  
base a decision.

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