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Prime Minister ①

Agree Home Secretary's line?

AT 3/17

Is this enough.

Can we provide the funds

needed?  
ml

PRIME MINISTER

MINERS' DISPUTE: SOUTH YORKSHIRE POLICE AUTHORITY

I am writing about the action being taken by the South Yorkshire Police Authority to try and prevent the Chief Constable from continuing to police mass picketing at the Orgreave coking plant, and the steps which the Attorney General and I are taking to support the Chief Constable in upholding the rule of law.

The background is that the South Yorkshire County Council and its Labour majority on the Police Authority strongly support the strike action in the NUM and take the view that the large-scale police operations needed to keep the British Steel Corporation's coking plant at Orgreave open in the face of the massive and at times violent picketing of the past few weeks should not have taken place. The County Council have passed a resolution that the Orgreave plant should be closed, and the Police Authority have told the Chief Constable that he should do that on public safety grounds, although it is far from clear under what powers they expect him to act. The Chief Constable has said that he will continue to uphold the rule of law.

More seriously, however, the County Council and the Police Authority have withdrawn from the Chief Constable the discretion which he possesses under their standing orders to incur expenditure of up to £2,000 without prior approval from the Authority. After a meeting yesterday, the Authority told him that he is not to incur any expenditure for the purpose of dealing with picketing without their express authority.

Because Orgreave is due to re-open on Monday, 9 July, the Chief Constable needs to incur expenditure from Thursday onwards on work needed to prepare a local RAF barracks to receive police Support Units from other forces which will be needed to reinforce his own force for policing Orgreave. The Chief Constable has asked the Authority Chairman for approval of this expenditure, and the Chairman has called a special meeting for 5.30 p.m. to discuss the request. It is possible that the Authority may approve the request, but all their statements, including the enclosed article in today's "Yorkshire Post" and some public statements by the Chairman this lunchtime, indicate that they will not.

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That would make the Chief Constable's position very difficult. Under the tripartite structure of the Police Act 1964, the Chief Constable is responsible for the direction and control of the force, and is not subject to the direction of the Police Authority or anyone else in operational matters. The main function of the Police Authority is to secure the maintenance of an adequate and efficient police force, and in particular to provide buildings, vehicles, etc. for that purpose, i.e. to make the necessary financial provision, which is matched by central grants. The Authority clearly have a duty to exercise proper financial control, and they also have power to suspend the Chief Constable on grounds of a disciplinary or criminal offence. If the Chief Constable goes ahead, therefore, after an adverse decision by the Authority this evening and incurs the expenditure from Thursday onwards, the Authority may claim that they are entitled to suspend him.

We shall clearly have to wait until this evening in the first place to see what the Authority decide. The Attorney General and I have already put in hand, however, certain contingency arrangements. The Chief Constable will report the result of the meeting to the Chief Inspector of Constabulary, Sir Lawrence Byford, who will report to me. The Chief Constable will also be issuing a public statement straightaway, saying that he remains determined to uphold the rule of law in South Yorkshire and will take all necessary steps with his force to continue to secure that. I propose to make clear at once tonight my full support for the Chief Constable, in whatever way is necessary, and to emphasise his essential duty to uphold the rule of law and to maintain public order and the right of people who wish to go to work to be able to exercise that right.

The Chief Constable will probably tomorrow seek a declaration from the courts that the Authority are acting unlawfully in their attempt to prevent him fulfilling his duties and policing the dispute. Because he has no funds available to him and the importance of ensuring his position, it is proposed that Treasury Solicitor and Counsel should be made available to him. ✓  
Meanwhile, I am arranging for the Chief Constable to be assured of sufficient financial support on a contingency basis for him to be able to continue with his necessary preparations for policing Orgreave next week. We shall also be considering with the Chief Constable and Counsel whether, as part of his action or separately, a restraining injunction would be desirable to prevent the Authority from suspending him.

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3.

I am sure we need to move quickly in this way, to forestall public speculation that police operations against the dispute will be hampered, or even that the Armed Forces would have to be brought in instead. (The Chief Constable has already had to deny the latter allegation this afternoon). We also need to move to deter other Authorities from taking similar action to place difficulties in the way of their Chief Constables, as some of the Metropolitan Authorities have already been contemplating.

I am sending copies of this minute to other members of MISC 101 and to Sir Robert Armstrong.

L.B.

3 July 1984

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Coun. GEORGE MOORES  
'Reaction to costs'

## Police chief faces curb on spending

By RAYMOND GLEDHILL, Local Government Correspondent

THE hostility shown by South Yorkshire County Council's Police Committee towards the county's chief constable over his policing of the miners' dispute increased sharply yesterday.

The Labour-dominated committee decided by 18 votes to ten — with Tory and magistrate members combining in opposition — to prevent the police chief, Mr. Peter Wright, from incurring any expenditure in relation to the dispute, apart from police pay and subsistence, without committee permission.

The ban would be effective immediately, said the committee chairman, Coun. George Moores, who explained: "It is a reaction to the growing costs facing the authority, because cash has been spent without reference to the committee."

The withdrawal by the committee of power to incur expenditure up to £2,000 without its authority follows its previous recommendation, approved by the full council last week, to send all bills run up during the strike — for food, accommodation, hire of non-police transport and petrol — to the Home Office.

The committee further agreed yesterday to send the Home Office all the bills for the use of the former RAF station at Bawtry, near Doncaster, for billeting police support units from other forces.

Mr. Wright said the latest decision to curb his spending powers would make his operational decisions on policing the miners' dispute very difficult.

Coun. Moores said it was recognised that the chief constable had complete power on operational matters, but the limited power given to the police authority extended to areas outside pay and subsistence.

Mr. Wright appealed for a legal ruling on his position from the council's chief executive, Mr. John Harris, who said that if an emergency arose it was the chief constable's responsibility, under the Police Act, to take any operational decisions in spite of the committee's ruling on spending.

But then the chief constable had a duty to report to the committee at the earliest opportunity.

**POLICE** said yesterday that violence by picketing miners could lead to an innocent bystander being killed.

The warning came after pickets threw a brick at a coal lorry at Seymour Sidings in Staveley, Chesterfield, which shattered the windscreen and struck the driver on the head.

He managed to bring his vehicle safely to a standstill before being taken to hospital with serious head cuts.

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cc: LPO  
HMT  
D/Energy  
MOD  
SO  
DTI  
EMP  
TPT  
AG  
CO

BM



file

10 DOWNING STREET

*From the Private Secretary*

4 July 1984

Miners' Dispute: South Yorkshire Police Authority

The Prime Minister has seen the Home Secretary's minute of 3 July. She agrees that the Chief Constable of South Yorkshire should be given every support in his efforts to uphold the law. She wonders whether the steps proposed will be sufficient to protect his position. She has also asked whether Government is able to provide funds directly.

The Prime Minister has also commented, in connection with the announcement made last Thursday on the costs of policing the dispute, that under the new arrangements the costs will continue to mount for police authorities and that, if the dispute continues, she thinks it may be better to move soon to a position where the Government bears all the costs at the margin. This may reduce the tendency of police authorities to put constraints on the actions of their Chief Constables.

I am copying this letter to the Private Secretaries to members of MISC 101 and to Richard Hatfield (Cabinet Office).

(Andrew Turnbull)

Hugh Taylor, Esq.,  
Home Office

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