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MISC 101(84) 28th Meeting

COPY NO 19

CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at  
10 Downing Street on  
WEDNESDAY 18 JULY at 6.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP  
Prime Minister

The Rt Hon Leon Brittan QC MP  
Secretary of State for the Home  
Department

The Rt Hon Nigel Lawson MP  
Chancellor of the Exchequer

The Rt Hon Peter Walker MP  
Secretary of State for Energy

The Rt Hon Norman Tebbit MP  
Secretary of State for Trade  
and Industry

The Rt Hon Tom King MP  
Secretary of State for Employment

The Rt Hon Nicholas Ridley MP  
Secretary of State for Transport

The Rt Hon Sir Michael Havers QC MP  
Attorney General

The Rt Hon John Stanley MP  
Minister of State for the  
Armed Forces, Ministry of Defence

The Rt Hon Lord Cray of Contin  
Minister of State, Scottish Office

THE FOLLOWING ATTENDED BY INVITATION

The Rt Hon Lord Hailsham  
Lord Chancellor

The Rt Hon Michael Jopling MP  
Minister of Agriculture, Fisheries  
and Food

The Rt Hon John Wakeham MP  
Parliamentary Secretary, Treasury

Mr John Gummer MP  
Minister of State, Department  
of Employment

SECRETARIAT

Sir Robert Armstrong  
Mr P L Gregson  
Brigadier J A J Budd  
Mr J F Stoker



**SECRET**

AND PERSONAL

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SECRET AND PERSONAL

## 1. INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that the adjourned talks between the National Coal Board (NCB) and National Union of Mineworkers (NUM) had resumed that morning and continued following a break at lunchtime. He understood that a number of new and revised drafts had been advanced for discussion during the day, but that the position of neither side had changed in substance. The assessment of the Chairman of the NCB was that the talks were likely to break down shortly. The latest news was that the talks had again been adjourned and were to be resumed at 8.30 pm that evening.

The numbers of pits working were the same as on the previous day and attendances were better. Votes which had been taken at pits throughout South Derbyshire had reaffirmed the intention of miners in the area to continue to work. In Leicestershire, where pits had returned to work that Monday after annual holidays, attendances were 350 higher than before the break. There was thus no sign of fulfilment of earlier fears that men who returned to work shortly before the beginning of their holiday period had done so in order to qualify for holiday pay but with the intention of resuming the strike after the break.

Movements of coal continued at a satisfactory level: 140,000 tonnes of coal had been moved the previous day alone. Train movements on the previous day had included 4 from the Coalville depot.

THE ATTORNEY GENERAL said that the High Court that day had declared the recent change to the rules of the NUM establishing new disciplinary procedures to be illegal, void and of no effect. The Court had granted a number of Nottinghamshire miners an injunction restraining the NUM from using the new procedures. The applicants had not sought to have penalties imposed against the NUM for the breach of the earlier decision by the Court prohibiting discussion or voting on the proposed rule change at the recent NUM Special Delegate Conference. The terms in which the latest judgement of the Court had been given, however, could be taken as implying that the Attorney General could seek the imposition of penalties if he considered it in the public interest to do so. An attempt



by the NUM to use the purported new disciplinary procedures in defiance of the Court would lay those responsible open to serious consequences. Any penalties sought on the basis of breaches of the previous ruling of the Court would probably be fines imposed on Mr Scargill and Mr Heathfield. The question of his own locus to undertake such proceedings required further careful consideration in the light of the terms in which the Court had delivered its latest judgement.

THE HOME SECRETARY said that there had been no significant change in the position regarding law and order. Arrangements had been set in place to collect regular and comprehensive information on the incidence of intimidation in the dispute. He envisaged that publicity should be given to this information on appropriate occasions, though he did not propose to arrange for its routine publication.

THE LORD CHANCELLOR said that he had been invited to attend in the light of reports of alleged delays occurring in the prosecution in the Courts of cases arising from the dispute. He understood, however, that any delay which might have occurred had arisen from the lack of committal proceedings begun by the police; and that the Courts had not delayed dealing with indictable offences when the police were ready to bring a case. In areas where it was desirable to increase the rate at which committal proceedings were dealt with in Magistrates' Courts, it was possible for him to appoint stipendiary magistrates, but he could do this only in response to a request from the Courts concerned. Even if stipendiaries were provided, however, it would be possible for defendants to slow down the rate at which committal proceedings could be undertaken by insisting on the use of the ancient and intricate "Section 2" committal procedure, rather than the more rapid modern alternative. Choice in the matter lay entirely with the defendant. In principle, an alternative direct route to the Crown Court might be available through the use of voluntary indictment procedure. This would be an unusual proceedings, however, and it would be for the Attorney General to decide whether it was open to him to adopt it.

THE PRIME MINISTER, summing up the discussion, said that the question as to whether or not the Attorney General should seek penalties against national officers of the NUM in respect of their breach of the earlier Court ruling should be considered further in the light of the wishes of the Nottinghamshire



miners. The Secretary of State for Energy should advise on this point. In the meantime, the Attorney General should give further consideration to the question of his locus in any such proceedings in the light of the latest judgement of the High Court. The position regarding the rate at which committal proceedings were taking place in the Courts was not entirely clear. The Home Secretary, together with the Lord Chancellor and Attorney General, should further investigate alleged cases of delay. They should pursue vigorously all available means of accelerating the prosecution of alleged offences arising from the dispute and report further to the Group.

The Group -

1. Invited the Secretary of State for Energy to advise further on the likely attitude of the Nottinghamshire miners to action by the Attorney General to seek penalties against national officers of the National Union of Mineworkers in respect of their breach of the earlier decision of the High Court.
2. Invited the Home Secretary, consulting the Lord Chancellor and the Attorney General, to pursue vigorously all possible means of accelerating the prosecution of alleged offences arising from the dispute; and to report further to the Group.



SECRET AND PERSONAL

## 2. INDUSTRIAL ACTION IN THE DOCKS

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR TRANSPORT said that there were some promising signs that day. Statements by Mr Connolly, the National Docks Officer of the Transport and General Workers Union (TGWU) to the effect that assurances given by the Government on the future of the National Dock Labour Scheme (NDLS) had no bearing on the strike, had increased confusion generally, and no doubt among dockers in particular, over the true nature of the points at issue in the dispute. It had been reported in the media that the TGWU convenor from Dover had travelled to London earlier in the day to seek the exclusion of his port from strike action. There were reports, though it was not yet clear what weight should be attached to them, that normal handling of freight might even resume at Dover the next morning. If this were so, it was reasonable to hope that workers at some other ports affected by the dispute might be tempted to follow suit.

No serious shortages owing to the strike were imminent. Supplies of bacon, paper, hard wheat and packaging materials might begin to run short in about 2 weeks and oil; wheat and fats after 3 weeks. Cotton might begin to run out after 4 weeks and wood pulp after 5.

The other main development that day was action by lorry drivers imposing blockades in the United Kingdom on the M20 and in France at Calais. The blockade in France, largely by British hauliers, threatened to spread to additional French ports. He understood that French hauliers had threatened to spread the blockade to all French ports.

THE SECRETARY OF STATE FOR EMPLOYMENT said that both sides in the dispute had met at 6.00 pm that evening under the auspices of the Advisory, Conciliation and Arbitration Service (ACAS) and were expected to continue the meeting on the following afternoon. This was unexpected: it had been thought unlikely that the sides would meet until the following day or the day after, following the conclusion of the Delegate Conference to be held by the TGWU on the morning of 19 July.



THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that his sources confirmed that dockers at many ports were confused and dissatisfied over the reasons for the strike, though it seemed that support for it continued solid in most or all of the larger scheme ports. There were indications, also, that TGWU members employed in road haulage had been bringing pressure to bear on the unions to bring the dispute to an early resolution.

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD said that, with the harvest coming on, the country contained sufficient stocks of basic foodstuffs for more or less indefinite endurance. Stocks of processed foods stood at 4-6 weeks and of animal feed at 3-4 weeks, extendable to 5-6 weeks if access were possible to supplies of soya currently strikebound in Liverpool docks. Problems could arise quickly, however, if panic buying were to begin. It was necessary for Ministers to be extremely careful to say nothing which might stimulate such a development, bearing particularly in mind that direct appeals against panic buying in the past had had a markedly counterproductive effect.

THE MINISTER FOR THE ARMED FORCES said that existing plans for Service assistance in dealing with the effect of a dock strike, which were based on maintaining supplies only of the essentials of life, were being reassessed. It was clear already that Service manpower and plant could be provided from within Great Britain on a considerably larger scale than that provided for under previous plans. For these resources to be put to effective use, however, it would be necessary both to be satisfied that such action would be in the vires in the circumstances and that skilled management personnel were available to direct the use of Service resources.

THE PRIME MINISTER, summing up the discussion, said that the news of lobbying by TGWU members for a conclusion to the strike was welcome, as were the concerted and effective efforts which had been made by businessmen and Members for ports constituencies to expose the lack of any reasonable basis for the strike and mobilise opinion against it. It was to be hoped that these efforts would be maintained at their present intensity. In their public statements, Ministers should continue to press home the point that serious doubt existed about the existence of any valid grounds for continuing with the dispute.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

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Cabinet Office

19 July 1984