

S E C R E T

16^B

PRIME MINISTER

MEETING WITH DAVID HART

David Hart wants to raise the following issues:

- The situation amongst working miners. He has sent the attached note which lists the various legal actions which are under way.
- His appreciation of what is happening in the docks.
- ~~His~~ appreciation of what is happening at the Coal Board. (He mentioned that he was delighted that Mr. MacGregor would no longer be appearing on the David Frost programme. He had advised against this and will fill you in on the background as to how Mr. MacGregor was advised to accept the invitation).
- Ideas on a possible tour.

AT

7 September 1984

S E C R E T

Coal File

8 CHESTER STREET LONDON SW1

TEL: 584 9273 TELEX: 28666

4 Sept

Dear Tim,
Please pass
to PM for
background
information.
Alan
Dair HANS

ELLIS-FERMOR

SOLICITORS

MARKET PLACE, RIPLEY,
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D. P. NEGUS LL.B.
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at 35 Derby Road, Long Eaton, Nottingham.
Tel: (Long Eaton) 65222/3

Our ref: DPN/AJW

Your ref:

30th August 1984.

Dear David,

Herewith List as promised:-

1. The original action was I think ours brought by a ^{representative} 640 Nottinghamshire Miners. We obtained an Interim Injunction preventing the Union disciplining our men in crossing Picket Lines and preventing them from ordering Branch Officials to instruct men not to cross Picket Lines. As the Strike is not settled and because the Interim Judgement left open the question of whether the Pickets are entitled to describe this as 'official', we intend to take this action back for a full trial as soon as possible but that is ^{not} likely to be this year.
2. A similar Interim Judgement was obtained by men in Lancashire in the Queen's Bench Division of the High Court in Manchester; C.B. Hudson and Taylor of Rochdale act in this action.
3. Another similar action also in Manchester by the North Wales men obtained the same interim relief. I gather they are thinking of further legal action but I am not sure what. Clement Jones & Co. Hollywell are the Solicitors.
4. Messrs. Shacklocks of Mansfield act for 3 North Derbyshire men. Their action is a little narrower. They have an Interim Judgement preventing the Union suspending them from membership for crossing Picket Lines and and they are having a full trial before the Vice Chancellor starting on the 20th September. I think they are bound to win but I am not sure that the issues involved are particularly important in the overall context.
5. Our second Action began when Pickets occupied the Notts. Area Office and prevented a Notts. Area Council meeting mandating its delegates to the National Conference to vote on Rule 51. An Order that the National Union must not take a vote on the issue was disobeyed which led to the Vice Chancellor declaring the proceedings of the Conference null and void. Despite the rhetoric the N.U.M. ~~accepted~~ ^{appear to have} accepted this decision because at a subsequent Conference (boycotted by the Notts. delegation) they passed Rule 51 a second time and which they were not prevented from doing by the earlier Order. I gather the Notts. Area Council in its official capacity is taking legal advice about the validity of this second Conference.
6. There are two miners from the Yorkshire area taking action which will be heard on the 24th September by the Vice Chancellor at the end of the Derbyshire case. Their action is similar to our original one but includes the following variations:-

(i) They are seeking additional Injunctions because the Yorkshire Area Rules clearly state there can be no legal strike in Yorkshire without a local ballot.

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Continued...

(ii) They are trying to get an Order for a National Ballot. The Solicitors are Messrs. Hodgkinson & Tallents of Newark (Mr. David Payne). Again this is only an interim hearing but they are putting a tremendous amount of work into it and are using the same Barristers ^{as} ~~on~~ ^{we} the original Briefed. I should think its publicity value will be considerable.

7. The Midlands Area have had an action recently heard. I am not sure of all the details but three officials were suspended on spurious grounds and I gather the Union has been ordered to reinstate them to office. The solicitors are Lawford & Co. of London (Mr. Tony Howes). Again, this is only an interim judgment.

In addition I understand that miners in Durham and South Wales are taking legal advice but I have few details at the moment. I have been consulted by members of the Power Group and expect to meet them next week for a discussion. There is even talk of an action in Scotland but of course they have an entirely foreign legal system!

Hope this helps. I shall be away this week starting Friday. My Secretary has a list of all the Solicitors' names and addresses if you need further details.

Yours sincerely,

David

D. Hart, Esq.,
8, Chester Street,
LONDON. SW1.

P.S. Typed in haste!!