Prime Minister (1)

Yes Content for me to reply as* at X?

MR. SCHOLAR

cc. Mr. Hoskyns MLS 8/1

Evidence for Megaw: No Strike Agreements

I think the Prime Minister may feel that the Memorandum for the Megaw Inquiry on No Strike Agreements, enclosed with the letter of 31 December from the Chancellor's Private Secretary, attached begs a few questions.

Megaw asked for a paper specifically on no strike agreements "in public services other than the civil service". The paper that the Treasury proposes, which was not discussed in the official group but which was, I understand, agreed with the MPO, is factual. But it does carry the implications that, first, civil servants do not have the right to strike and, second, that conditions of service in the civil service have the force of a contract. What it does not point out is that the Government's ability to use these facts is constrained by the risk of a successful claim of unfair dismissal if striking civil servants are selectively dismissed: at present, if you want to dismiss some, you have to dismiss all who have taken any form of industrial action.

The Government has asked the Megaw Inquiry to cover the possibility of no strike provisions for the civil service, and the Prime Minister may feel that the present paper needs to be supplemented by evidence on the particular position of civil servants and any changes in the law or conditions of service that would be needed to provide the Government with stronger weapons against strikes. As it happens, that range of issues is at the centre of the work that is going on in the official group (MISC 65) which has been set up to look at the lessons of the last civil service dispute: the report of that group should be available by the end of the month. Ministers will then be able to decide whether there is a case for pointing Megaw in a particular direction. For the moment, I think the Prime Minister could accept the Treasury paper; perhaps with a comment from you to the effect that she will want to consider the possibility of further evidence on

/no

no strike provisions covering the civil service when the report of MISC 65 has been looked at by Ministers.

J. M. M. VEREKER

6 January, 1982