

NUM calls delegate conference over receivership order

- The NUM executive last night called a special delegate conference in the wake of the Court of Appeal's refusal to lift a receivership order
- A decision on whether to take no action, to continue to ignore the courts, or to recognize the supremacy of the courts, has to be taken by the NUM executive Page 2
- Mr Herbert Brewer, the solicitor appointed as receiver by the High Court, flew to Luxembourg to claim £4.3m held in a bank there
- Two striking miners, both from Rhymney, Mid Glamorgan, have been remanded in custody until Thursday at Merthyr Tydfil, charged with murdering Mr David Wilkie, a taxi driver Page 2

By Barrie Clement, Labour Reporter

The executive of the National Union of Mineworkers last night called a special delegate conference for today in the wake of the Court of Appeal's refusal on Saturday to lift a receivership order.

The decision came after a six-hour meeting of the executive of 24 and will be seen as a sign that the NUM is being forced to come to terms with the law. It will also be viewed by the Government and the National Coal Board as a sign of a lack of resolve by the leadership. But delegate meetings so far have backed the militant line.

Another meeting of the executive will precede the conference of 120 delegates; that executive meeting will decide what its advice will be. Both meetings will be at Congress House, the TUC headquarters in London.

Mr Arthur Scargill, president of the union, said after the meeting of the executive that the appointment of the receiver was "totally unprecedented" and would mean that the union could not fulfil its day-to-day functions. The appointment posed a fundamental threat to every trade union.

He also denounced Mr Herbert Brewer, the Derbyshire solicitor appointed to be the receiver, as a former Conservative Party official, a former

Tory councillor, and a member of the right-wing Institute of Directors.

Mr Brewer flew to Luxembourg last night to claim £4.3 million of the union's money at present in a bank there.

A statement read by Mr Scargill on the steps of Congress House last night said that the executive had always abided by conference decisions and would continue to do so. Today's conference had been called "to discuss the position and to determine the union's attitude".

Mr Scargill later met Mr Norman Willis, TUC general secretary, to request further help from the labour movement to resist the "draconian" measures being taken against the NUM.

Mr Scargill said: "We will win this strike because the issue is right". He indicated that receivership would make no difference to his members' resolve.

"No matter what actions are taken against the National Union of Mineworkers or its officers," he said, "it will not deter people in this union who fight for what they know to be right: the right to work."

A High Court order states that Mr Scargill, Mr Peter Heathfield, general secretary of the union, and Mr Michael

McGahay, vice-president, the trustees of the union's finances, are not proper people to remain in charge of the assets, totalling £8.9 million.

To lift the receivership order the union would have to pay a £200,000 fine for contempt of court, concede that strike was unofficial, pledge that there would be no disciplinary measures against strike-breaking and undertake to obey all future court orders.

The last stipulation would almost certainly lead to actions to force the union into a national ballot on the strike.

On the way in to the executive meeting yesterday, Mr Jack Jones, moderate secretary of the Leicestershire pitmen, said that he would not vote to break the law.

But Mr Sid Vincent, secretary of the Lancashire miners, and a man who has been identified with the moderates, said that the executive could not back down after nine months on strike.

Lord Wedderburn of Charlton, the Labour peer, industrial relations law expert, and TUC adviser, was on hand yesterday as the NUM executive met.

The receivership means that from today Mr Brewer will be the sole custodian of all the union's finances and that, as Mr Scargill says, its normal functions will come to a stop.



Mr Brewer, the NUM receiver, leaving Heathrow Airport last night for Luxembourg.

Hattersley, Denning clash over picketing

By Anthony Bevins
Political Correspondent

Mr Roy Hattersley, deputy leader of the Labour Party, yesterday clashed with Lord Denning, the former Master of the Rolls, on the purposes and principles of mass picketing and the intervention of the courts in the miners' strike.

Mr Hattersley repeatedly stated in an interview on BBC television's *luncheon This Week, Next Week* programme that bad laws had to be changed rather than broken.

He also said that mass picketing could be designed as a means of protest rather than as a weapon for intimidation, and that the intervention of the courts could harden attitudes and alienate miners from the law and the rest of society.

But at the end of the duel, Mr Hattersley challenged Lord Denning to say whether he felt the legal process would help or hinder the ending of the strike.

Lord Denning replied: "I have no opinion one way or the other. All I know is that the law ought to be obeyed, and that is all the courts are doing." Mr Hattersley said: "Pathetically simplistic. Pathetically simplistic."

Earlier, Mr Hattersley said: "I am opposed to intimidation and if there are a very large number of men present on one occasion to intimidate others, then of course I am opposed to it."

"But on the other hand I am strongly in favour of the rights of individuals to demonstrate their opinions and that must mean if a large number of miners want to demonstrate their support for the dispute, they ought to be entitled to congregate and demonstrate that support."

He said that it was a Conservative presence and wholly untrue that it was only intimidation that kept miners out on strike; they were out on strike because they believe in

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Receiver moves to seize miners' funds

By Peter Davenport

The solicitor appointed as receiver of NUM funds is expected to begin moves in Luxembourg today to take control of more than £4 million deposited in the country by the union. Mr Herbert Brewer, aged 68, a Derbyshire solicitor specializing in commercial law, is expected to arrive in Luxembourg today, before flying to Luxembourg.

Mr Brewer, senior partner in a local law firm and a vice-president of the Erewash Conservative Association in Derbyshire, was appointed receiver by the High Court on Friday after an action brought by working miners. The union president, Mr Arthur Scargill, and other senior officers were removed as trustees of the funds, totalling about £8 million.

The union failed in legal moves to overturn the ruling on Saturday and from today Mr Brewer will be in effective day-to-day control of all union spending, including paying for heating, lighting and telephones at the NUM headquarters in Sheffield.

He is expected to go to the Nobis-Finance International Bank in Luxembourg today, armed with High Court papers to gain control of the £4.38 million on deposit.

The bank may accept the authority and hand over control

of the funds immediately or they may insist that Mr Brewer seek the approval of local courts.

Mr Brewer said: "I have full powers from the English courts to take legal proceedings in Luxembourg."

Once the funds are transferred to a British bank, sequestrators will be able to get access to pay the union's outstanding £200,000 contempt fine.

Mr Brewer also said that he hoped litigation against the union would soon end. "My view is that the sooner litigation is ended - playing ducks and drakes with miners' funds - the better because it all comes out of their funds."

"All of these court cases are expensive. It is a tragedy that people who have worked hard, paid their union dues, find it frittered away for the benefit of my profession and the accountancy profession."

Mr Brewer flew to Luxembourg last night accompanied by Mr Brian Larkins, the court-appointed sequestrator from Price Waterhouse, the accountants.

The receiver said, before news of the delegate conference became known: "It could be a wasted journey, but I am not in a position to sit back and wait". He added that he had not had any contact with Mr Scargill during the course of the weekend.

Cost of pit policing

By Peter Evans, Home Affairs Correspondent

The cost of policing the miners' dispute is about to top £200 million. The total number of charges is almost 10,000.

Figures considered by the Association of Metropolitan Authorities show that in one month the additional cost to the South Yorkshire Police Authority leapt by a third to £12.3 million and accounted for half of the increase for the six metropolitan authorities. West Yorkshire costs rose from £2.2 million to £3 million.

The extra costs reflect the numbers of police involved. That was up to October 31, when the total additional costs to police authorities in the metropolitan counties was £34.5 million. That figure is now about £40 million.

Up to November 27, there have been 8,460 arrests, the Home Office told *The Times*. 7,100 people have been charged, 3,483 cases dealt with, 2,740 convictions and 743 acquittals.

Poll losses put Hawke in difficulty

From Alan Hamilton
Sydney

Mr Bob Hawke, the Australian Prime Minister, took his ruling Labour Party back to power in the weekend general election, but with a surprisingly reduced level of support. Labour's majority in the House of Representatives has been virtually halved, with the final figure expected to be as low as 18 seats.

The result contradicted almost every opinion poll, which had predicted an enhanced vote for the ruling party. In the past 20 months Mr Hawke had made considerable progress in bringing Australian unemployment and inflation under control.

Although holding about 28 fewer seats than had been expected, Mr Hawke will still have a workable majority in the newly-enlarged House with which to continue his brand of moderate consensus government. The election has, if anything, weakened the Labour Party's left-wing representation in Mr Hawke's ministry.

The vote for the Senate leaves him much as before, with the balance of power held by minority parties.

The fledgling Nuclear Disarmament Party, which made a surprisingly good showing in the polls, performed disappointingly and as the lengthy process of counting voters' preferences continued yesterday, it looked increasingly unlikely that the best known candidate, the Sydney rock singer, Peter Garrett, would win a Senate seat.

The undoubted personal victor of the election was the Opposition leader, Mr Andrew Peacock, who is being given full credit for achieving a 1.5 per cent swing to the Liberal-National coalition, and whose future as Opposition leader now looks secure.

Mr Hawke, whose 20-month term of moderate consensus government was based largely on a prices and incomes accord with the unions, now faces a host of economic problems, with wage strikes already beginning to eat away at his agreement with organized labour.

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Clampdown on security at summit

From Richard Ford
Belfast

The Prime Minister flies into Dublin for the EEC heads of government summit today amidst intensive security measures designed to protect her from terrorist attack.

Up to four different places have been selected by the Republic's security forces as possible venues for Mrs Thatcher to stay tonight, though it is likely she will remain at Dublin Castle in a heavily-guarded suite of rooms.

Surface-to-air missiles are expected to be installed at whichever airport the Prime Minister and Sir Geoffrey Howe arrive; although security forces are refusing to give any details

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of her movement it is likely her plane will land at the headquarters of the Irish Air Corps in Casement aerodrome, Baldonnel, on the south west outskirts of Dublin.

Mrs Thatcher will then be flown by helicopter into the yard of Dublin Castle where the two-day summit meeting is being held and will be kept as far as possible from contact with the public.

Many streets around the capital closed to traffic at 6 am this morning as troops and police began a major operation to guard the ten leaders of the EEC and more than 1,000 officials, civil servants and journalists.

The Government in Dublin is aware of how preoccupied Mrs Thatcher has become about personal security in the wake of the Brighton bomb attack, particularly since the assassination of Mrs Indira Gandhi. Her own armed bodyguards are expected to accompany her and she will be escorted by heavily armed Irish security personnel wherever she travels.

Three demonstrations against the Prime Minister will take place today with the provincial newspaper, *Republican News*, saying Mrs Thatcher, as a "political overlord, or controller of occupation forces, is not welcome here". It says Dr Garret Fitzgerald will greet her

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By Barrie Clement, Labour Reporter, By Peter Davenport and By Peter Evans, Home Affairs Correspondent.

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