

File



10 DOWNING STREET

*From the Principal Private Secretary*

22 March 1985

INDUSTRIAL ACTION IN THE CIVIL SERVICE:  
USE OF THE TRADE UNION ACT 1984

For the record, I am writing to confirm that the Prime Minister saw Mr. Hayhoe's minute of 20 March and agreed with the action proposed in it, subject to consultation between the Treasury, the Department of Employment and the Scottish Office on whether, in the light of the Lord Advocate's advice, separate action needed to be taken in Scotland.

I am copying this letter to David Normington (Department of Employment), John Graham (Scottish Office), Paul Thomas (Chancellor of the Duchy of Lancaster's Office), Iain Jack (Lord Advocate's Office) and Sir Robert Armstrong.

FERB

M.W. Norgrove, Esq.,  
H.M. Treasury.

SECRET

Prime Minister 21

\* collecting legal advice is set out in the attached notes. HMT are immersed by the Lord Advocate's death



Do you agree to the issue of a writ as proposed by Mr Hayhoe\*

PRIME MINISTER

INDUSTRIAL ACTION IN THE CIVIL SERVICE: USE OF THE TRADE UNION ACT 1984

In my letter of 19 March to the Secretary of State for Employment, I noted that the CPSA Executive had decided to ignore the Trade Union Act 1984 in calling their members out on strike on 1 April. I believe we must therefore invoke the Act's provisions - and legal advice is that we have an excellent chance of success.

We must move fast and unless I hear to the contrary before noon tomorrow, 21 March, I propose to take the following course of action. The Treasury will issue a writ either tomorrow afternoon or at the latest Friday morning effectively warning the CPSA that we are likely to seek an interlocutory injunction against them if they fail to comply with the Act. If they ignore this, we will apply for the injunction on Monday, 25 March with the expectation that the hearing, in Chancery, will be on Thursday, 28 March.

If the union fails to comply with the injunction, we will have to ask the court to enforce the order which could mean sizeable penalties for contempt. On the other hand, I am advised that should the union have a change of heart at any time up to the hearing, we will be able to call off our action.

Copies of this minute go to all Cabinet Ministers, the Attorney General, the Lord Advocate, the Paymaster General and to Robert Armstrong.

BH.

BARNEY HAYHOE

SECRET