



PRIME MINISTER

Prime Minister *Govt Machinery*

*In view of his
minute of dissent,
we are arranging
a discussion in E.*

MA

12
1/4

THE USE OF TERRITORIAL AND VOLUNTEER RESERVES DURING
INDUSTRIAL DISPUTES

Flay A

I disagree with the conclusion drawn in the paper E(80)24, and I thought I should let you know my views even though I understand that it may not be worthwhile to hold a meeting on the subject.

2. From Michael Havers' legal advice, it appears that we can use the Regular Army to maintain public services interrupted by a strike, and can call up TAVR Units to replace them in their military duties, but cannot use the TAVR directly to maintain public services. This seems an undesirable situation as well as an illogical one, and I do not think we should rule out the possibility of amending legislation to change it.

3. Besides other Western democracies we are sorely lacking in any kind of "citizens army", and I do not think there is any principle which should make us more reluctant to use the TAVR in dire circumstances than the regular army. Indeed, I see two advantages:

- i) it would enable us to respond more flexibly to civil emergencies. So long as we have to rely on the Regular Army alone our response will be severely constrained by lack of resources, especially if two such emergencies coincided, as they easily could in the winter months. This could leave us with no alternative but to buy off a public service strike in circumstances which amounted to abandoning our policies.



- ii) Removing regular soldiers from their military duties cannot be good for our defence, even if they are replaced by volunteers.

4. On the assumption that we shall not be compelling members of the TAVR to undertake such duties, then it ought to be less objectionable on libertarian grounds too to use them than to use regular troops to man civilian services. In practice the unions are more strongly opposed to volunteers because their presence, unlike that of soldiers acting under orders, can be a living demonstration of the unpopularity of the unions' cause. I believe we should prefer them for the same reason.

5. I recognise of course the invidiousness of involving the TA in controversial disputes, and I should certainly not advocate using them except to maintain essential public services. But we should not succumb to the union propaganda that represents strikes against such services as in the same category as those against the commercial interests of a private employer, and attacks Governments' attempts to maintain them as "strike-breaking". Such strikes are indeed aimed at the public itself, and I believe our response to them should always be designed to ensure that the public perceives this. Were there to be a major breakdown of services I think historians would judge us ill if we failed to provide an ultimate reserve body to keep public services going.

6. If there is currently a legislative bar to this course of action I would be in favour of amending legislation. This might provoke some controversy from the unions, but I believe we could seek the agreement of the Opposition — *indeed there might be occasion for asking the official opposition about their views.*



7. I am copying this minute to the other members of E, and to Francis Pym, Michael Havers and Sir Robert Armstrong.

Jw

J. N.

Department of Trade
9 April 1980



From the Secretary of State

J Chilcot Esq
Private Secretary to the
Secretary of State for the Home Department
Home Office
50 Queen Anne's Gate
London, SW1H 9AT

2
HF 115

30 April 1980

Dear John,

THE USE OF THE TAVR DURING INDUSTRIAL DISPUTES

My Secretary of State has seen your Secretary of State's minute to the Prime Minister of 28 April on the use of the TAVR during industrial disputes and, as there has been no written support for his views, does not wish to press for a meeting on the subject.

I am copying this letter to the Private Secretaries of E Committee Members, to the Private Secretaries to the Attorney General and Sir Robert Armstrong and to Mr Moore, Cabinet Office.

Yours ever,

Nicholas McInnes

N McINNES
Private Secretary

CONFIDENTIAL

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~~Prime Minister~~

In view of
Trade letter of 30 April,
NBPM

PRIME MINISTER

TZ, 15

I am told that, in view
of this minute, Mr Nott may
no longer wish to press his
case. If this is confirmed, we
will take it off the agenda
for E.

THE USE OF THE TAVR DURING INDUSTRIAL DISPUTES

Flay A

I have seen copies of John Nott's minute to you of 9th April 29/4
and the Attorney General's letter of 15th April. I am writing on
behalf of Francis Pym and myself to let you know our views.

We appreciate John Nott's feelings but his arguments neither
dispel our doubts about the practicability and effectiveness of
legislating in this field nor allay our concern about the
repercussions it would have on the TAVR.

We are not persuaded that we should depart from our
recommendation in E(80)24 that the TAVR should not be used in
industrial disputes.

Copies of this minute go to other members of E and to
Sir Michael Havers and Sir Robert Armstrong.

Halls

28

April 1980

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01-405 7641 Extn 3201

ROYAL COURTS OF JUSTICE

LONDON, WC2A 2LL

15 April 1980

Cont. March 2
PRIME MINISTER
As small point on the TAVR.

MJS
15/4
PA
MJS

The Rt Hon Margaret Thatcher MP *mt*
Prime Minister
10 Downing Street
LONDON S W 1

Dear Prime Minister,

USE OF TERRITORIAL AND VOLUNTEER RESERVES DURING INDUSTRIAL DISPUTES

(attached)

I have seen a copy of John Nott's Minute to you of 9 April regarding the conclusions drawn in paper E(80)24.

In paragraph 2 of the Minute it is suggested that TAVR units may be called up to replace the Regular Army in their military duties when the Regular Army is maintaining public services interrupted by a strike. I would like to take the opportunity to emphasize that the TAVR as a whole may only be called out in the circumstances referred to in paragraph 3 of the Annex to paper E(80)24, viz where a national danger is imminent or a great emergency has arisen. I do not think that this requirement is likely to be met in any but the most exceptional industrial situation (for example a general strike). Additionally individual TAVR men may volunteer to be liable to be called out for periods of not less than 6 months, but as explained in paragraph 4 of the Annex, this is only for Army Service.

The main question raised by John Nott is one of policy and is, I think, more for William Whitelaw and Francis Pym than myself.

I have copied this letter to John Nott and the other recipients of his Minute.

Yours wv.
Michael
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Get Mad

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ds



cc FCO	HMT
D/I	LPO
D/Em	MAFF
D/Td	D/En
CSO	MOD
LOD	CO

10 DOWNING STREET

From the Private Secretary

2 April 1980

The Prime Minister has read the recent paper circulated to E Committee on the possibility of using the Territorial Army Volunteer Reserve in industrial disputes - E(80) 24. She is content with the conclusion of this paper that the TAVR should not be considered for use in industrial disputes, and unless substantive comments on the paper are received by 11 April, she will regard the paper as approved.

I am sending copies of this letter to Private Secretaries to members of E Committee, Brian Norbury (Ministry of Defence), Bill Beckett (Law Officers' Department) and David Wright (Cabinet Office).

I. P. LANKESTER

John Chilcot, Esq.,
Home Office.

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AKC

PI



DEPARTMENT OF HEALTH & SOCIAL SECURITY
Alexander Fleming House, Elephant & Castle, London SE1 6BY
Telephone 01-407 5522

From the Secretary of State for Social Services

J A Chilcot Esq
Private Secretary
Home Office
50 Queen Anne's Gate
London SW1

1 April 1980

Dear John,

THE USE OF TERRITORIAL AND VOLUNTEER RESERVES DURING
INDUSTRIAL DISPUTES - E(80)24

My Secretary of State has read with interest the paper circulated by the Home Secretary, the Secretary of State for Defence and the Attorney General. He agrees with the conclusions reached in paragraph 6 and supports the recommendations in paragraph 7.

I am copying this letter to the private secretaries to the Prime Minister, other members of E Committee, the Secretary of State for Defence and the Attorney General, and to David Wright (Cabinet Office).

Yours ever
D

D BRERETON
Private Secretary

Galt Nuch

R

1/24



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Prime Minister

*Agree that this paper
be taken as agreed
unless colleagues have
any comments?*

Ref. A01854

MR. LANKESTER

*Yes
Ans*

*12
1/4*

Use of the Territorial Army Volunteer Reserve

At a meeting of E on Tuesday, 4th December last year the Home Secretary, Secretary of State for Defence and the Attorney General were invited to consider the case for using the Territorial Army Volunteer Reserve in industrial disputes. They have now completed their review and have circulated their paper, E(80) 24, which concludes that the TAVR should not be considered for use in industrial disputes.

2. The Cabinet Office was consulted in the preparation of the paper. It seems unlikely that Ministers will wish to object to its conclusions. If the Prime Minister is content with them, you may wish to write to members of E suggesting that unless comments on the paper are received by, say, 11th April, the paper will be taken as approved.

(D.J. Wright)

1st April, 1980