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CABINET

CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street on

THURSDAY 10 MARCH 1988

at 9.45 am

PRESENT

The Rt Hon Margaret Thatcher MP Prime Minister

The Rt Hon Sir Geoffrey Howe Secretary of State for Foreign and Commonwealth Affairs

The Rt Hon Lord Mackay of Clashfern Lord Chancellor

The Rt Hon Peter Walker MP Secretary of State for Wales

The Rt Hon Norman Fowler MP Secretary of State for Employment

The Rt Hon Nicholas Ridley MP Secretary of State for the Environment

The Rt Hon Kenneth Clarke QC MP Chancellor of the Duchy of Lancaster

The Rt Hon Malcolm Rifkind QC MP Secretary of State for Scotland

The Rt Hon John Moore MP Secretary of State for Social Services

The Rt Hon The Lord Belstead Lord Privy Seal

The Rt Hon Nigel Lawson MP Chancellor of the Exchequer

The Rt Hon Douglas Hurd MP Secretary of State for the Home Department

The Rt Hon George Younger MP Secretary of State for Defence

The Rt Hon Tom King MP Secretary of State for Northern Ireland

The Rt Mon Kenneth Baker MP Secretary of State for Education and Science

The Rt Hon John MacGregor MP Minister Agriculture, Fisheries and Food

The Rt Hon Paul Channon MP Secretary of State for Transport

The Rt Hon John Wake am MP Lord President of the Council

The Rt Hon Cecil Parking of MP Secretary of State for Exercity

The Rt Hon John Major MP Chief Secretary, Treasury

THE FOLLOWING WERE ALSO PRESENT

The Rt Hon David Waddington QC MP Parliamentary Secretary, Treasury

The Rt Hon Peter Brooke MP Paymaster General

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SECRETRIAT

Sir Robin Butler
Mr P J Weston (Items 3 and 4)
Mr R G Lavelle (Items 3 and 4)
Mr A J Langdon (Items 1, 2 and 5)
Mr S S Mundy (Items 1, 2 and 5)

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CONFIDENTIAL

THE LEGISLATIVE PROGRAMME 1988/89

The Cabinet were informed of the business to be taken in the House of Commons in the following week.

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THE SECRETARY OF STATE FOR THE ENVIRONMENT said that, during consideration of the Local Government Bill the previous day, the House cammons had reversed the amendment, which had been inserted by the wouse of Lords against the advice of the Government, which sought to enable local authorities to ask questions of potential contractors about their treatment of the disabled.

cial curity

THE SECRETARY OF STATE FOR SOCIAL SERVICES said that on the previous Thursday a new clause on child benefit had been inserted in the Social Security Bill against the advice of the Government during Report Stage in the House of Lords // The new clause required him to review the level of child benefit each total, but there were no requirements on him to take further action seem as to uprate the level of child benefit or to publish a report of his review. As it stood, therefore, the clause had no practical effect. The government would clearly need to resist any amendments which sought to give teeth to the provision. However, in view of the importance of the bill proceeding to Royal Assent as a matter of urgency, and to avoid any loss of goodwill from those Government supporters who favoured the amendment, he had agreed with the Lord President of the Council and the Chief Secretary, Treasury that the Government should not seek to delete the clause when the Bill returned to the House of Commons the following Monday.

THE PRIME MINISTER, summing up a brief discussion, said that the new clause could clearly not be allowed to stand if there were any risk that it might have some practical effect. The Social Services Secretary should consult the Attorney General as a matter of urgency to seek his advice on that matter.

The Cabinet -

Took note, with approval, of the Prime Wingster's summing up and invited the Social Services Secretary to consult the Attorney General in the way the Prime Minister had indicate

THE SECRETARY OF STATE FOR EMPLOYMENT said that the Employment Bill was making good progress in the House of Lords under the stewardship of the Minister of State for Defence Procurement, Ministry of Defence, and he expected that it would complete its passage through that House shortly after Easter.

The Cabinet -

Took note.

ME AFFAIRS
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ealth ervice

revious eference: 0(88) 8.2 2. THE SECRETARY OF STATE FOR SOCIAL SERVICES said that, as he had indicated at the previous meeting of the Cabinet, he had issued a statement on the Social Services Committee Report on resourcing the National Health Service (NHS) to coincide with publication of that Report. The Social Services Committee had met the previous evening to agree the text of a reply, which would presumably be critical of the Government's position and which he understood they hoped to publish later that day. The Trades Union Congress had called for a day of industrial action on the following Monday in support of the NHS. It appeared that a number of unions outside the Health Service, including the Associated Society of tocomotive Engineers and Firemen, were backing away from their previous support for the proposed action.

THE SECRETARY OF STATE FOR WAVES said that the case of the geriatric ward at St Tydfil's hospital in Merthyr Tydfil which had been opened by HM The Queen Mother the previous April had been raised on numerous occasions in the House of Commons. It was an example of a district health authority seeking to ensure that any retrenchments were concentrated in the most emotionally provocative areas. District health authorities in Wales had in fact been allocated additional funds at the expense of London and the South East but their management tended to be poor.

THE PRIME MINISTER, summing up the discussion, said that, if any illegal secondary industrial action were forthcoming on the following Monday, it was to be hoped that employers who had been affected would be prepared to take legal action against the trades unions involved.

risons

THE HOME SECRETARY said that, as part of an industrial dispute at Pentonville and Wormwood Scrubs prions, prison officers there were refusing to take in new prisoners in excess of the certified normal accommodation. That action, coupled with the continuing increases in the prison population, had made it necessary to accommodate around 1500 prisoners each night in police cells. That was a dangerous situation and wasteful of resources. He might need to consider taking disciplinary action in the following week against prison officers at the two prisons concerned. In his judgment, such an intervention would be

unlikely to provoke any widening of the industrial action to other prisons, though that possibility could not be ruled out. He would naturally be in touch with the police and other services which might need to be called on to help if prison officers refused to work normally in the face of any disciplinary action he decided to take.

Industrial
Action in
the Coal
Industry

Previous Reference: CC(88) 8.2 THE SECRETARY OF STATE FOR ENERGY said that the National Union of Mineworkers (NUM) had by a very substantial majority rejected the advice of the Atesident of the Union, Mr Scargill, and voted to call off their overtime ban. The Scotish coalfields had been one of only three areas which had voted to continue the ban, in spite of the possible threat to their jobs posed by the plan by the South of Scotland Electricity Board to run their power stations on imported coal. The findings by the National Reference Tribunal, which had been published the previous week, on the dispute between the National Associaton of Colliery Overmen, Deputies and Shotkirers (NACODS) and British Coal (BC) had effectively confirmed BC's pay offer. NACODS appeared uncertain about what action to take in response but NACODS members were now working normally at all but a few pits. The Aituation in the coal industry was therefore rather better than it had been ever recent weeks. The Chairman of BC, Sir Robert Haslam, had made clear that the NUM's overtime ban had cost BC about £100 million, which was broadly equivalent to the cost of Margham.

Industrial Action at Land Rover

Previous Reference: CC(88) 7.2 THE SECRETARY OF STATE FOR EMPLOYMENT said that the strike action by employees at Land Rover was continued. The Land Rover management had warned that, if the strike action continued, and their pay offer were be revised, it would be revised downwards. The strike action had attracted very little publicity, even in the Midlands.

General
Certificate
of
Secondary
Education

THE SECRETARY OF STATE FOR EDUCATION AND SCIENCE and that Her Majesty's Inspectorate of Schools had published a report earlier that week about the General Certificate of Secondary Education (GCSE). The report, which was broadly reassuring, suggested that the teaching of many subjects had improved as a result of the introduction of the GCSE and that pupils appeared to be better motivated. However, the teport recorded some anxieties, including that certain less abterparils were being overworked and, conversely, that some brighter pupils were not being sufficiently stretched. His soundings of head teachers in public and private education suggested that they were broadly satisfied with the impact of the GCSE and that they believed that there had been distinct improvements in the teaching and learning of several

subjects, including sciences, modern languages and classics. However, history and some other areas clearly required attention, and various aspects of the GCSE would need to be reviewed after that summer's examinations. Once the Education (Reform) Bill came into effect, he would have powers to approve the qualifications and syllabuses offered by the Examining Groups.

The Cabinet -

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Ferrorist
Comb Attempt
In Gibraltar

3. THE FOREIGN AND COMMONWEALTH SECRETARY said that following the shooting on Sunday 6 March in Gibraltar of three Irish terrorists engaged in a bombing attempt, the Spanish authorities had on 8 March discovered a Ford Fiesta car in a garage in Marbella. It contained 64 kilos of Czech slovak-made Semtex explosive together with 5-6 kilos of ammunition packed in such a way as to create a massive grenade or fragmentation bomb. The timer had been set for 11.20 hours though not primed. It was believed the plan had been to detonate the bomb by remote control as the product desmen were assembling outside the Governor's Residence in Gibralta. The the timer as a fallback if remote control had failed. Had the bomb exploded as planned it would probably have caused several hundred of the shooting it had been thought by the security forces that the bomb was in a Renault car already positioned near the Gibraltar parade graund. The response of the security forces had had to take account of the passibility that the Irish terrorists might, on being challenged, seek of etonate the bomb there and then by a remote control device. The discovery of this plot had been of enormous importance but the consequences, for example repatriation of the bodies, funeral arrangements and imprest would be difficult to handle and would require careful co-ordination. He would be liaising with Ministerial colleagues principal concerned on all this.

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that the admission from the outset by the Provisional Irish Republican Army (PIRA) confirming the involvement of their Active Service Unit in a bombing attempt, though unusual, had in effect helped the Government deal with public reactions to the shooting during the first 36 mours until the bomb had been found. The Government needed to get across two key points in public comment: first, that the bomb itself had been of massive proportions, and second (though this should be implied ather than stated) that there had been reasonable grounds for the terrorists were challenged by the security forces, with the risk that the terrorists might escape in the subsequent confusion. This explained the very difficult split-second decision the security forces had had to take. There would now be a propaganda war by the PIRA over the functor arrangements. Difficult decisions might be required if martyrethy celebrations and paramilitary displays by PIRA were to be

successfully avoided. Initial statements by the Government of the Republic of Ireland had been unwise but he had since heard from the Tanaiste, Mr Brian Lenihan, that following discovery of the bomb Irish Ministerial broadcasts and a proposed debate in the Dail had been ancelled.

Discussion, it was pointed out that once the bodies were handed over the relatives it would be difficult to prevent them going to Northern Island via Dublin, and the possibility could not be excluded that a separate inquest in the Republic of Ireland would be sought, though the Irist perment had no interest in promoting this. It was noted that the British Broadcasting Corporation (BBC) were planning an edition of their television programme 'Question Time' in Belfast that evening. The Secretary of State for Defence had been invited to participate, and it appeared that members of Sinn Fein would also be among the invited audience. In the light of current disturbances in Belfast, this raised the question vector on security grounds the Secretary of State for Defence should devine to take part and whether indeed the programme should go shead appeared.

THE PRIME MINISTER shaming up this part of the discussion, said that urgent security advice about the BBC programme was needed from the Chief Constable of Northern received. If this indicated that the programme should be cancelled, the home Secretary should convey it in writing to the Chairman of the Governors of the BBC, consulting the Attorney General on the terms of the orter. Once the BBC had all the facts before them they would have to assume full responsibility if the programme went ahead. Irrespective of the security advice, it was not Government policy for Ministers to take part in dialogue with members of Sinn Fein.

The Cabinet -

1. Invited the Home Secretary be guided by the Prime Minister's summing up of the discussion.

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devious deference: Q(88) 8.3 THE FOREIGN AND COMMONWEALTH SECRETARY said that whe North Atlantic Treaty Organisation Summit in Brussels on 2/3 March and resulted in two very good statements on general policy and on the need for effective defence, as well as re-affirming the arms control and within the context of the existing strategy of deterrence. The meeting had been an impressive demonstration of Alliance unity and had provided guidance for Defence Ministers on force modernisation.

THE FOREIGN AND COMMONWEALTH SECRETARY said that the British Oxfam official, Mr Peter Coleridge, who had been kidnapped on 4 March after apparently photographing a Palestinian camp, had been released on 8 March, probably as a result of pressure from a local Nasserite leader. The Foreign and Commonwealth Office were dismayed that Mr Coleridge had acted without consulting them and without heeding existing consular advice. The radical Palestinian organisation, Abu Nidhal, appeared to have been responsible for the kidnapping. Since they had on earlier occasions murdered British officials in Athens and Bombay, and had also taken Mr Alec Collett hostage, Mr Coleridge was very lucky to have been released, particularly as four Abu Nidhal members were held in British prisons. Unfortunately, Mr Coleridge's release did not seem likely to provide and further insight into the fate of the other two British hostages. Mr Terry Waite and Mr John McCarthy.

Iran/Iraq War

Previous Reference: CC(88) 7.3 THE FOREIGN AND COMMONWEALTH SECRETARY said that the 'war of the cities' continued. Some to missiles had been fired by Iraq and 27 by Iran since 29 February. Tenram and Baghdad were the principal targets, as well as the Holy City of Qom Both sides had reported civilian casualties, but none of these was British. Iraqi resumption of city bombardment had confused the situation in the United Nations Security Council on Resolution 598, and the Iranians were seeking to take advantage of this. The Soviet Union were suggesting a new Resolution focused on the 'war of the cities' but the Government were seeking to keep attention concentrated on Resolution 598.

Republic of South Africa

Previous Reference: CC(88) 7.3 THE FOREIGN AND COMMONWEALTH SECRETARY said that the United Kingdom, together with the United States, has been obliged to veto the United Nations Security Council Resolution of South Africa on 8 March. The earlier moderate draft resolution tabled by certain African delegations had, following tough statements by the South African Government about restrictions on the receipt of external funds, been strengthened to include references to mandatory sanctions which we could not accept. France and the Federal Republic of Germany had abstained. He said that although there had been some discussion of South Africa at the informal meeting of European Community Foreign Ministers of the Constance on 5/6 March, it was significant that none of his colleagues there had sought to bring pressure on the United Kingdom on the question of sanctions.

Relations with Argentina THE FOREIGN AND COMMONWEALTH SECRETARY said that at the recent informal meeting of Foreign Ministers in Germany, none of his European Community colleagues had raised with him the subject of the current Raidish reinforcement exercise to the Falkland Islands, despite the fact that the Argentine Government had been lobbying heavily in other Community

capitals for them to do so. It remained to be seen whether Argentina would pursue the subject in the United Nations Security Council.

evious ference: (88) 7.3 THE FOREIGN AND COMMONWEALTH SECRETARY said that agreement had been achieved at the current Geneva talks on a nine month withdrawal timetable for Soviet troops from Afganistan, of which a significant proportion would be withdrawn in the early part of this period. But there was deadlock over the question of an interim Government for Afghanistan. Pakistan seemed unlikely to drop the demand for this unless and until the United States secured a Soviet commitment to halt military aid to the Kabul regime. A Soviet concession over either the interim Government or the halting of their military aid in parallel with an end of Western aid to the Afghan resistance would be necessary in order to obtain approval by the United States Congress for any American guarantee of a Geneva agreement.

sit of inese reign nister THE FOREIGN AND COMMONWEALTH SECRETARY drew attention to the arrival in the United Kingdom that morning of the Foreign Minister of the People's Republic of China, Mr. Wu Xueqian. A particular subject which British Ministers would raise with Mr Wu was the current situation in Tibet where the latest rioes showed that the Chinese were faced with a long term problem.

lations th Panama THE FOREIGN AND COMMONWEALTH SECRETARY said that on 26 February the Panamanian Ambassador in London, Mr Quillermo Vega, a supporter of General Manuel Noriega, had terminated the appointment of his Consul-General in London. After first seeking police help in avoiding any violent confrontation in taking possession of the consular offices, the Ambassador had subsequently instructed a security firm to obtain repossession of the premises, despite warnings from the police. Late on 7 March members of the security firm and with pickaxe handles and wearing paramilitary uniforms had driven a Landrover through the plate glass windows of the Panamanian Consulate-General. The police had subsequently arrested four security guards and three other employees of the firm. The Parliamentary Under Secretary of State at the Foreign and Commonwealth Office, Mr Tim Eggar, had summoned the Panamanian Ambassador on 8 March and asked him to waive his (own) immunity and that of members of his staff to enable police investigations and charges to be brought if necessary. In response, the Panamaniah Government had waived immunity for questioning and for civil and administrative proceedings while stopping short at the general waiver regained. The Ambassador had been informed that if the full waiver was received by 17.00 hours that day his appointment would be terminated.

The Cabinet -

2. Took note.

MUNIFICALIRS

riculture
uncil,
March

4. THE MINISTER FOR AGRICULTURE, FISHERIES AND FOOD said that the Agriculture Council on 7-9 March had been mainly concerned with carrying forward consideration of specific texts on stabilisers. Discussion had proceeded satisfactorily for most products but disagreements remained on wine. It had been concluded that the proposals here should be discussed further in the Council on 28 March. He had made clear, and this had been accepted by the Presidency, that a final agreement on other stabilisers would only be possible when wine was settled and there could be a single overall decision on the stabiliser package.

The Minister for Agriculture, Fisheries and Food said that the Agriculture Council had also agreed to reinstate the ban on the use of hormone growth promoters in meat production in the Community. He had opposed its reintroduction on a variety of grounds, including the likelihood of renewed complaints from the United States about the effects of the ban on meat exports and the prospect of retaliation. However, the United Kingdom had been in a minority of one on this issue.

There had also been consideration of the draft proposal for intervention stocks of butter to be provided free to the unemployed. He had had some success in getting a pumper of other member states to indicate that they shared our dislike of such a scheme. It was now possible that it would not be agreed. The best outcome would be if the Commission concluded that it should not bring forward a proposal at all.

onomic and nance uncil, March THE CHANCELLOR OF THE EXCHEQUER said that at the meeting of the Economic and Finance Council attended by the Paymaster General on 7 March a draft Community budget was established and agreement reached on a provisional inter-governmental agreement. The Italians were maintaining their interpretation of the conclusions of the European Council on the relative amount of Value Added Tax (VAT) and Gross National Product (GNP) financing. The budget would now go to the European Parliament for a first reading.

The Cabinet -

Took note.

HE EGISLATIVE ROGRAMME 988/89

5. The Cabinet considered a memorandum by the Lord President of the Council (C(88)5) about the recommendations of The Queen's Speeches and Future Legislation Committee (QL) on the legislative programme for the next Session of Parliament.

THE LORD PRESIDENT OF THE COUNCIL said that the present Session of Parliament was an exceptionally heavy one that, despite its early start, would be bound to run late. The next Session, therefore, would be unusually short, but there was an overriding political requirement for to accommodate several major Bills that could not be postponed. In ticular, there would need to be extremely long Bills on the tivatisation of the water and electricity supply industries, and a very long measure on local authority housing and capital controls. Against that background, QL had drawn up the recommended programme at Annex A of C(88)8, which contained 16 Bills of medium length or greater. Disregaring the Bills carried over or re-introduced from the previous Parliament, that was the same number of medium or longer Bills as had been approved last July for the present - much longer - Session. QL were in no doubt that a programme of that size was at the outermost limits of what would be practicable, and it followed that additions should only be made to the programme if offsetting reductions could be found to accompodate them. It would, as always, be important for Ministers in charge of Bills to take a close interest in their timely preparation, and the success of the programme would also depend on a sufficient number of rejighty Bills being available for introduction in the House of Lords

The following main potros were made in discussion -

The Conservative manifesto for the last General Election had recognised the need to be trnise the system of student support, though it had not specifically promised legislation. The matter had been under review by the Department of Education and Science for the last 2 years, and the zeview's recommendations in favour of a mixed system of grants and loans would be available a little later in the year. The Secretary of State for Education and Science and the Chancellor of the Exchequer had virtually reached agreement in favour of the review recommendations, and it would not be practicable for the Government to avoid stating its position on the matter once it was known that the review had been completed. While the introduction of loans would increase public expenditure in the short term, it would lead to significant savings in the longer term, and represented a major cultural change of the kind that the Government wished to promote. The Secretary of State for Education and Science believed that the total effect of his proposals would in practice be found to be attractive by the Government's supporters. Since better-off parents were generally suspicious of any changes to the student support system, however, it was essential that the introduction of loans should be timed to precede the General Election, rather than to come after it. The next Session therefore presented the only politically tealistic opportunity for legislation on the topic during the present Parliament.

b. The privatisation of the Crown Agents also had pakticular claims for legislation in the next Session. The Government had been committed to this privatisation since 1984, and it would lease to be a credible option if it were postponed beyond the next

Session. If the opportunity of privatisation were not taken, then legislation would be needed in a later Session for an inferior and more expensive option, such as financial reconstruction or winding up the Crown Agents. On the other hand, the privatisation of the Crown Agents was not one of the Government's front rank political priorities.

- c. London bus deregulation was another matter to which the government was committed and on which the next Session represented the only politically sensible time to legislate during the life of the present Parliament. If the legislation were postponed, politically sensitive questions about such matters as concessionary fares and subsidised bus routes would be brought into public awareness but not resolved in time for the next London Borough elections or a possible General Election.
- d. Only a very few clauses would be needed to add to the Elections (N) Bill provisions requiring candidates in Northern Ireland local elections to make declarations abjuring support for proscribed reasisations or terrorist acts. These provisions would be welcomed by the Unionist community in Northern Ireland. Their inclusion could however, lead to the Bill becoming a controversial measure which could not be dealt with under the Second Reading Committee Procedure in the House of Commons.
- e. The Secretary of State for Social Services accepted that the Children and Family Services Bill was of higher priority in the next Session than the Haman Fertilisation and Embryology (Controls) Bill, and he did not press for the inclusion of the latter Bill in a programme that was loaded as heavily as the Lord President had described. We entheless, the postponement of the legislation to implement the recommendations of the Warnock Committee would cause serious problems for the Government, and he would circulate a note to his religious about this.
- f. The Export Guarantees and Overseas Investments Bill would be a very short measure that would save about £10m a year and which was required to meet accounting conventions.
- g. The Antarctic Minerals Bill and the Representation of the People Bill might both be postponed, though both measures were very short.

THE PRIME MINISTER, summing up the discussion, said that the next Session would inevitably be shorter than usual but that there were a number of very heavy measures that could not be deferred to later Sessions. The House of Lords was bound to come under pressure in the second half of the Session, as the major Bills came up from the House of Commons. The Cabinet endorsed QL's view that the programme set out at Annex A to C(88)5 was at the limits of what could be managed, and experience indicated that further legislation would become newspary in response to court judgments or other unforeseen eventualities. The Cabinet accepted that no significant additions should be made to the

programme that were not accompanied by offsetting reductions, and reductions of any size would be difficult to find. The Education (Scotland) Bill would certainly need to be retained in order to accommodate certain provisions being postponed from this Session's Bill, and to take control of teachers' pay arrangements in Scotland. Of the Bills likely to take much Parliamentary time, it might be that the Backgadcasting Bill and the Children and Family Services Bill were the two that were not required by the Government's economic strategy or for other totally compelling reasons. The Children and Family Services Bill, however, had already been cut to meet QL's anxieties, and it was needed for the proper balance of the programme, while the Broadcasting Bill contained important provisions on programme standards. The Antarchie Minerals Bill and the Representation of the People Bill might both be deferred if that helped to accommodate more important measures. Of the Bills suggested for inclusion, the Student Support Bill was clearly the most important, though its policy had not yet been given collective consideration: it should be regarded as the first candidate for admission to the programme if it received policy approval and if means could be found to accommodate it. The expansion of the Elections (NI) Bill to require) candidates in local elections in Northern Ireland to make declarations against terrorism might, on further examination, prove to have only a minor effect on the Parliamentary demands of the programme. There was a good political case for requiring such declarations, and the Lord President and the Lord Privy Seal should review whether it would be manageable to expand the Elections (NI) Bill to include the relevant provisions.

The Cabinet -

- 1. Took note, with approval of the Prime Minister's summing up of the discussion.
- 2. Provisionally approved the legislative programme for 1988-89 set out in Annex A to C(88)5.
- 3. Agreed that the Student Support Bill should, subject to policy approval, be recognised as having Pirst claim for addition to the programme, but that its inclusion would require offsetting reductions.
- 4. Noted that the Antarctic Minerals Hill and the Representation of the People Bill might be deferred to a later Session if this became necessary, as a contribution to any reductions required in the 1988-89 programme.
- 5. Invited the Lord President of the Council and the Lord Privy Seal to review the implications of expanding the Elections (NI) Bill to include provisions on declarations by candidates, and to report their conclusions in correspondence.

Cabinet Office

10 March 1988