

see notes
✓ MAP Sport

RECORD OF A MEETING HELD AT 10 DOWNING STREET ON 4 SEPTEMBER AT 1700 HOURS
TO DISCUSS A PROPOSED TOUR BY A SOUTH AFRICAN BARBARIANS RUGBY TEAM

PRESENT

Prime Minister
Home Secretary
Secretary of State for Foreign and Commonwealth Affairs
Lord Privy Seal
Lord President of the Council
Attorney General
Parliamentary Under-Secretary of State, Department of the Environment
(Mr. Hector Munro, M.P.)
Mr. C.A. Whitmore
Mr. M.A. Pattison

At the invitation of the Prime Minister, the Home Secretary commented on the legal position. It had been suggested that immigration controls could be used to prevent entry of the team. Some members of the team would almost certainly have patrial rights. These could not be refused entry. In some cases, the Home Secretary could use his personal powers to direct refusal of entry: such a direction could be appealed to an adjudicator, and appealed further to an immigration tribunal. Whilst the Home Secretary had wide powers to prohibit the entry of persons whose presence would be considered as "not conducive to the public good", he was advised that the problems created by the use of this power would be greater than the initial problem to which their use would be directed. He personally subscribed to this view. There were also police powers to ban the tour, or individual engagements in the tour, on grounds of a threat to public order, but similar considerations arose over invoking these. He would need to check the position on the powers available to a Chief Constable to say, in respect of a fixture which would be taking place inside public property, that he could not permit this to go ahead on the basis of an earlier bad experience on the tour. The Home Secretary said that it had been suggested on previous occasions that the Home Secretary's power to exclude individuals should be used to prevent South African tours, but that no Government had yet done so. The Attorney General said that, if the tour were to be banned on public order grounds, this would only hold up in court if firm evidence of a real threat to public order could be offered.

/ He commented

He commented that there were ways to avoid the full exercise of the right of appeal if the Home Secretary prohibited entry on the grounds that individuals were not conducive to the public good. This apart, he endorsed the Home Secretary's comments.

The Prime Minister said that it would be politically impossible to stop the tour as outlined by the Home Secretary. It therefore seemed that the Government had to recognise that the tour would take place. She asked who would have financial responsibility for police arrangements. The Home Secretary said that the clubs concerned were responsible for policing within their grounds. Policing outside fell to the ratepayers. He was unhappy with the situation where a sports organisation, or any other, could create a need for large scale police attendance but have no financial responsibility for it. But legislation would need to be required to change this position.

If clubs found it necessary to have their grounds guarded inside, to prevent sabotage, he believed clubs would have to pay.

The Prime Minister said the Government appeared to have no powers to stop the tour. Unlike the French Government, the UK had no visa control in respect of South Africa for entry to the United Kingdom.

Mr. Monro felt that he should call the home rugby unions in and speak severely to them, thus demonstrating that the Government had done all it could in fulfilling all its obligations under the Gleneagles Agreement. Alternatively, he ought to write a further letter. The Foreign Secretary commented that Mr. Monro would be snubbed. The Prime Minister said that the Government had its own public opinion to think of. She doubted the wisdom of seeming to bully the home unions to no purpose. A summons by Mr. Monro would not change the position. The Lord Privy Seal commented that public opinion could take a very different view if our runners were excluded from the Olympics in a year's time.

The Foreign Secretary said that the only reason for Mr. Monro to see the unions again was to demonstrate to outsiders how hard the Government had tried. As it was, the Government was likely to be blamed whatever line it now took either for letting the tourists in, or for trying to keep them out, or for the disorder which might arise on the tour. The Government would appear feeble whatever way it now turned, but there seemed no escape.

/ The Prime Minister

The Prime Minister asked whether the rugby unions understood the risk of repercussions and demonstrations, and whether they were clearly united. She knew for instance, that the President of the Rugby Union had not been at the unions meeting. Her husband had been in his company at the time. Mr. Monro said that the rugby unions were well aware of the disruption of the 1969 Springboks tour. It was an unhappy tour. The present South African Ambassador had been captain.

The English union had led the pressure for the tour. There were some doubts in Ireland, which was united for rugby purposes but the Southerners might be uneasy. There might be some doubts in Wales.

In further discussion, doubts were expressed as to the value of any further discussion with the unions or any further correspondence with them. There was also some discussion of the extent of the Government's obligations under the Gleneagles Agreement. In response to the Foreign Secretary, the Attorney General felt that it was at least necessary to write a further letter expressing the Government's view of the unions' decision to go ahead. The Attorney General said that Mr. Monro's first letter had not covered the wider repercussions of the first tour. The Prime Minister said that she had instructed that the letter should be kept narrow, in view of the complications over the next Olympics being held in Moscow, where there was a tyranny as repressive as any to be found elsewhere in the world.

Mr. Monro mentioned there had been suggestions that the Sports Council grant to rugby clubs could be stopped. He would not wish to do this. Other Ministers agreed with him.

The Prime Minister said that, but for obligations under the Gleneagles Agreement, and the problems caused by Mr. Hain and fellow demonstrators, she would personally feel that the presence of a mixed South African team touring in the UK would have a beneficial effect back in South Africa on their return. But, given present circumstances, it would clearly be preferable for the tour not to go ahead. Ministers had concluded that they did not have powers which could reasonably be evoked to stop the tour from this end. It was worth considering whether there was any

/ possibility

possibility of stopping it from the other end. If it was not possible, it would now be advisable for Mr. Monro to write a further letter pointing to the fact that there were many possible unpleasant consequences from the proposed tour, and expressing the Government's regret at the decision for it to go ahead. Mr. Monro should prepare a draft of a letter along these lines which would be seen by the other Ministers directly concerned and submitted to her before being despatched.

4 September 1979