

SUBJECT

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C. MASTER SET

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NOTE FOR THE RECORD

NOT FOR CIRCULATION

COALMINING DISPUTE

The Prime Minister held a meeting today which discussed events in the coal industry. Present were the Home Secretary, the Secretaries of State for Energy, Environment, Social Services, Employment, the Attorney General, the Financial Secretary to the Treasury, Mr. Gummer. Also present was Mr. Gregson.

The Prime Minister said she had come from a meeting with the Secretary of State for Energy and the Chairman of the National Coal Board and she was most disturbed at the direction the coalmining dispute was taking. Pickets were succeeding in preventing men who wanted to, from going to work; at the start of the week 93 pits were open and 71 were closed. During the course of Monday 10 of the pits where men were willing to work were forced to close and the total of pits closed had now reached 133; and they had succeeded in forcing a postponement of a strike ballot in the Lancashire area. Even if ballots the next day in Derbyshire and Nottinghamshire were held it was quite likely that those who opposed strike action would be intimidated into staying away. It was essential for the Government to be seen to be upholding the criminal law on picketing. Simply to allow those who expressed a wish to work was not good enough; the threat of intimidation should be removed. It appeared that the Police were not carrying out their duties fully as large pickets were being permitted and few arrests were being made.

The Home Secretary said that his Department had alerted Police Chiefs earlier in the week on the extent of their powers but he was not satisfied with the response. During the course of the day he had made a statement as part of interviews he had given on radio and television. The statement made clear that large numbers of pickets were intimidatory and could prevent people from exercising their right to go to work; it was the duty of Police to uphold the criminal law and prevent such intimidation; the Police had the necessary resources and facilities for mutual support; and they had the power to disperse excessive numbers of /pickets and

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pickets and to stop pickets from assembling, intercepting vehicles if necessary. He had taken steps to ensure that Chief Constables were aware of this statement and were aware, too, that Government expected them to carry out their duty. He had gone to the limit of what the Home Secretary could do while respecting the constitutional independence of Police Forces.

The Secretary of State for Energy said the Chairman of the National Coal Board had sought an injunction against the Executive of the Yorkshire Mineworkers' Union to restrain the use of flying pickets. This was not simply to prevent their picketing other areas but also if picketing continued to achieve sequestration of the funds being used to finance picketing. He was worried, however, that the Executive might avoid being held to be in contempt of Court by disclaiming responsibility for the organisation of pickets while continuing to encourage them behind the scenes. The Attorney General said the Courts were entitled to look behind public statements to see what the actions of the parties were.

The Attorney General suggested that he should re-issue his statement which he had made to the House in 1980 in connection with picketing during the steel workers' strike. This would re-affirm the criminal law on picketing and also bring in the implications of the 1980 and 1982 Employment Acts. He agreed to arrange for a Written Question to be put to him that night for answer either on Thursday or Friday.

In discussion it was argued that it was most important to stop pickets assembling as had been done successfully at Warrington. It was much more difficult to disperse pickets once they had been allowed to assemble.

In discussion it was argued that current events vindicated those who felt that the provision in the current Bill for workplace ballots was inadequate. Those not supporting strike action could be intimidated into staying away from the place of work. Postal ballots were therefore essential. Against this, it was /argued that

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argued that a work place ballot conducted under conditions of intimidation would not satisfy the conditions of the Act as being properly conducted and immunities would therefore not be preserved.

Summing up the discussion, the Prime Minister said it was essential that criminal law on picketing be upheld and that intimidation should not be allowed to succeed. The meeting endorsed the action of the Home Secretary to ensure that Chief Constables carried out their duties fully. The matter should be discussed again at Cabinet when it would be clearer whether the Police were adopting the more vigorous interpretation of their duties which was being sought. Ministers could then consider what further action might be needed.

ANDREW TURNBULL

14 March 1984