

LEADER'S CONSULTATIVE COMMITTEE

Minutes of the 230th Meeting held at 5.00 p.m. on Monday, 29th January, 1979, in the Leader's Room at the House of Commons.

Present: Mrs. Thatcher (in the Chair)
Mr. Whitelaw, Sir Keith Joseph,
Lord Hailsham, Lord Thornycroft,
Sir Geoffrey Howe, Mr. Prior,
Mr. Pym, Sir Ian Gilmour,
Mr. Jenkin, Mr. Neave,
Mr. Heseltine, Mr. St. John Stevas,
Mr. Maude, Mr. Edwards,
Mr. Nott, Mr. King,
Mr. Taylor, Mr. Carlisle,
Mr. Biffen.

Mr. Atkins.

In attendance: Sir Michael Havers, Mr. Stanley,
Mr. Butler, Mr. Wolfson,
Lord Denham, Mr. Ridley,
Mr. Nicholson, Mr. Block.

Apologies: Lord Carrington, Mrs. Oppenheim,
Mr. Peyton.

1. Report of the Rawlinson Committee (LCC/78/191)

There was a short discussion on the Committee's recommendations and on Lord Hailsham's comments, which had been circulated as LCC/78/192. It was agreed that the words "or equivalent" should be inserted after "Lord of Appeal in Ordinary" in the last line of Page 1 of the paper.

It was also agreed that we should have the Report published with a suitable introduction. Mr. Maude and Sir Michael Havers were invited to make the appropriate arrangements.

2. The Referendum and the Constitution

Mr. Edwards introduced a discussion on the Report of his Committee, which had been published on 12th September, 1978 as an Old Queen Street paper. The following points were agreed:

(i) It was not desirable to encourage the belief that the use of referendums could entrench institutions or constitutional practices, as it was clear that one Parliament could not bind succeeding Parliaments. We would therefore not propose the introduction of an Enabling Bill, but would reserve the right to introduce a provision for a referendum in any Bill where we thought it might be helpful. We would envisage using it for legislation which had very substantial support in the country but which might be resisted by a minority.

(ii) We should, however, take note of the problem that "two-tier" legislation might be created if we had referendums for some Bills and not for others, and of the danger that a Labour Government might use the referendum to secure popular endorsement for certain superficially appealing Socialist measures.

(iii) We would insert a passage in the Manifesto for the next Election indicating that we accepted that the referendum could be an extremely useful device.

Mrs. Thatcher thanked Mr. Edwards for the work of his Committee, and it was agreed that she would write to the members of the Committee to thank them for their valuable work.

3. The Current Industrial Crisis

There was a discussion, and reports were made of the likely developments in the various disputes. The following points were agreed:

(i) Mr. Jenkin and Mr. Carlisle were invited to be prepared to react to developments during the week as hospitals and schools were affected by industrial action.

(ii) We should say that we were grateful that so many people had volunteered to help in the hospitals, but we would not publicly encourage more volunteers to come forward as this might be unhelpful.

(iii) The backbenchers at the Business Committee would be asked to continue to pass on news from their constituencies to the Whips' Office as soon as possible.

(iv) The Attorney General would be asked if he would define the legal position relating to restrictions on the use of strike action by certain groups of workers. It was noted that Section 5 of the 1975 Conspiracy and Protection of Property Act, which prevented industrial action likely to cause loss of life or severe damage to health, was still in force. It was suggested that Labour's 1974 Act, which repealed the whole of the Conservative 1971 Act, had not, in fact, reinstated the clause in the 1971 Act repealing the ban on industrial action by Gas, Electricity and Water workers.

(v) We should consider tabling a Private Notice Question to Mr. Rodgers about his speech on Sunday in which he threatened a possible pay and prices freeze, and we should press the Prime Minister as to whether this speech represents Government policy.

(vi) In all public statements it was essential to continue to emphasise the over-riding national interest.

The meeting closed at 6.10 p.m.