

PRIME MINISTER

PREPARATION FOR A MINERS' STRIKE

There is only one difficult issue for discussion at your meeting tomorrow: whether to encourage the Electricity Boards to use the provisions of the Employment legislation against the NUM, if NUM pickets prevent replenishment of power station stocks of coal and ancillary materials.

Pickets which prevent coal leaving pitheads would of course be immune from legal action, so it is unlikely that miners will need to use pickets to stop coal entering power stations, except for the small amount that is imported. But NUM pickets at power stations could prevent delivery of ancillary materials such as lighting up oil. They and the NUM itself could certainly be sued by the Electricity Boards for an injunction to stop, or for damages.

It is surely for precisely such circumstances that our Employment Legislation has been designed. Indeed, we would be dealing with secondary picketing of a particularly blatant kind, where miners were not only away from their place of work, but stopping delivery of materials other than coal. As the MISC 57 report says, not to use the legislation would bring into question the Government's whole approach to industrial relations. The possibility of vigorous resistance by miners to injunctions should not deter us from trying to reap the enormous benefit to the community as a whole of establishing that if secondary picketing has damaging consequences, the unions have to pay.

So we should certainly indicate to the Electricity Boards our willingness to see them use the provision of the law, and we should do so now in order to encourage them to think the issues through, and to consult among themselves. Of course it does not follow that they will seek injunctions at the first sign of picketing: they may well want to wait and see whether the ancillary materials can be replenished by stealth, and they must be allowed to reach



their own judgement of when to begin legal proceedings.

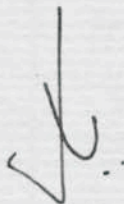
Other Issues

It is unlikely that shortage of coal, of which we have about 20 weeks' worth, will be the reason for the strike ending. So the use of servicemen is probably an issue only if they are needed to replenish ancillaries. No decision on that is required now.

The CEGB's operational strategy for maximising endurance is right, given the shortage of lighting up oil; and it can be adjusted as we can go along. It is encouraging that the CEGB are now planning in this kind of detail.

I am sure it would be wrong to try and gain a little extra endurance by early measures to restrict electricity consumption. Far better to give the miners the impression that we can cope very well and for long periods without hardship, except to them.

Finally, if the ballot goes the wrong way, Bernard will be pressed by the media for a reaction. Clearly the position on the record is that this is still a matter between the NCB and the NUM (and quite a wide range of circumstances may arise, depending on the exact outcome). Bernard has put a separate note to you, with which I agree, suggesting an unattributable line.



27 October 1982