

PRIME MINISTER

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Police pay

The Home Secretary indicated to you the very serious political difficulties which he sees in the way of making any radical changes in police pay arrangements in the near future. He said that he was concerned at the damage that would be done both in the police service and among Government supporters if it became known that the abandonment of Edmund-Davies was even being considered in Whitehall. This arose from my letter in which I recorded that you wished the subject of future arrangements for determining police pay to be considered by the Official Committee on public service pay.

This led you to instruct that the matter should not be taken any further at present, and to say that you agreed with the Home Secretary (papers attached).

I think we are in danger of being at cross-purposes with the Home Secretary. Mr. Gregson's Official Committee on public service pay is not considering the abandonment of Edmund-Davies, or the making of any radical change in police pay arrangements in the near future. What they are doing, in response to my letter, is looking at different ways in which the Edmund-Davies formula may be applied, with a view to reducing the inconsistency between Edmund-Davies's recommendations and those elsewhere. The Home Office, with the Home Secretary's agreement, have put in a paper to this Committee on the way forward. Mr. Gregson assures me that all concerned are well aware of the political sensitivity of the whole issue.

The whole exercise is, then, a much more limited one than was implied in the Home Secretary's letter. Content for it to proceed on this subject, on the understanding that it reports to a very small group - say yourself, the Home Secretary, the Chancellor and Mr. Tebbit?

MCS

Yes - but will just have a word with the Home Secretary

1 November 1982



Police cc J.V.

CONFIDENTIAL



Prime Minister (2)

HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

Mis 21/10

19 October 1982

Dear Michael

Do not take this any further at present. I am with the Home Secretary.

POLICE PAY

We have noted from your letter of 13 October that the Prime Minister wishes the subject of future arrangements for determining police pay to be considered by the Official Committee on Public Service Pay, and we will arrange for a suitable paper to be put to the Committee by Home Office officials. Meanwhile, the Home Secretary has asked me to emphasise the very serious political difficulties which he sees in the way of making any radical change in police pay arrangements in the near future and which he mentioned in his letter to the Chancellor of 7 October. He thinks it inconceivable that in what may well be an election year the present Government should embark on highly controversial legislation to dismantle the machinery for settling police pay which it set up only three years ago. The personal commitment of both the Home Secretary and the Prime Minister to the principles of the Edmund-Davies Report is very strong: I attach some examples of public statements on the subject from the Conservative Party Manifesto (A), the Second Reading of the Police Negotiating Board Bill when Mr Brittan, then a Home Office Minister, was the Government spokesman (B), and the Prime Minister's own reply to a question from Mr Hamilton last March (C).

The Home Secretary is also concerned at the damage which would be done, both in the police service and among the Government's supporters, if it became known that the abandonment of Edmund-Davies was even being considered in Whitehall. (He has received no fewer than 127 letters from Conservative MPs protesting at the way in which the increase in pension contribution was imposed on the police in September.) It will therefore be necessary for the study to be undertaken in strict confidence.

I am sending copies of this letter to John Kerr (HM Treasury), Muir Russell (Scottish Office), John Lyon (Northern Ireland Office) and Richard Hatfield (Cabinet Office).

Yours sincerely  
C J Walters

C J WALTERS

M C Scholar, Esq.

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## 4. The rule of law

THE MOST DISTURBING THREAT to our freedom and security is the growing disrespect for the rule of law. In government as in opposition, Labour have undermined it. Yet respect for the rule of law is the basis of a free and civilised life. We will restore it, re-establishing the supremacy of Parliament and giving the right priority to the fight against crime.

### THE FIGHT AGAINST CRIME

The number of crimes in England and Wales is nearly half as much again as it was in 1973. The next Conservative government will spend more on fighting crime even while we economise elsewhere.

Britain needs strong, efficient police forces with high morale. Improved pay and conditions will help Chief Constables to recruit up to necessary establishment levels. We will therefore implement in full the recommendations of the Edmund Davies Committee. The police need more time to detect crime. So we will ease the weight of traffic supervision duties and review cumbersome court procedures which waste police time. We will also review the traffic laws, including the totting-up procedure.

### DETECTING THE CRIMINAL

Surer detection means surer deterrence. We also need better crime prevention measures and more flexible, more effective sentencing. For violent criminals and thugs really tough sentences are essential. But in other cases long prison terms are not always the best deterrent. So we want to see a wider variety of sentences available to the courts. We will therefore amend the 1961 Criminal Justice Act which limits prison sentences on young adult offenders, and revise the Children and Young Persons Act 1969 to give magistrates the power to make residential and secure care orders on juveniles.

We need more compulsory attendance centres for hooligans at junior and senior levels. In certain detention centres we will experiment with a tougher regime as a short, sharp shock for



## POLICE NEGOTIATING BOARD BILL [Lords]

*Order for Second Reading read.*

6.20 pm

The Minister of State, Home Office (Mr. Leon Brittan): I beg to move, That the Bill be now read a Second time.

The purpose of the Bill is to give effect to the recommendations of the Edmund-Davies report on the police negotiating machinery—Cmd. 7283—which was presented to Parliament in July 1978. It is not a long Bill, and its effects will not be far-reaching. It is nevertheless an important Bill, since it will establish on a statutory basis the negotiating machinery that is essential to the long-term health of the police service.

Perhaps I might remind the House of the background to the Edmund-Davies report. For over 60 years—since 1919—police pay has been determined by the Secretary of State, who promulgates the rates of pay in police regulations. This is an essential feature of the Secretary of State's responsibility for ensuring the efficiency of the police service. Throughout this period there has been a national body, in one form or another, comprising representatives of the Secretary of State, police authorities and the police staff associations, set up for the purpose of considering the pay and conditions of service of members of the police service. Each successive body has borne the title of Police Council. At first, there were separate Police Councils for England and Wales and for Scotland, and their role was to advise the Secretary of State in the exercise of his responsibilities. Under the Police Act 1964, a single Police Council for Great Britain was established to negotiate pay and conditions of service. At the same time another statutory body, the Police Advisory Board, was set up to advise the Secretary of State on consultative matters affecting the police service. In 1969, the Police Council was expanded to embrace Northern Ireland, and became the Police Council for the United Kingdom.

Section 4 of the Police Act 1969 defined the task of the Police Council for the United Kingdom as

"the consideration . . . of questions relating to hours of duty, leave, pay and allowances, or the issue, use and return of police clothing, personal equipment and accoutrements."

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The Police Council accordingly dealt with all matters that were dealt with by negotiation affecting the police service, together with matters affecting police pensions. Under the 1969 Act the Secretary of State was required, before making regulations on pay or conditions of service, to take into account any recommendation made by the council. In practice, the procedure was normally for amending regulations to be produced to give effect to agreements reached by the council; changes in the regulations were rarely put forward by the Secretary of State.

In July 1976 a dispute over the pay settlement due under the pay policy prevailing at that time came to a head when the Police Federations for England and Wales and for Northern Ireland walked out of the Police Council and announced that in future they would negotiate only with the Secretary of State. At the same time, they declared that they would not be prepared to take part in the work of other national police bodies, such as the Police Advisory Board. They would be prepared to resume their former policy of co-operation only after more suitable negotiating machinery had been established. Since the Police Federations represent the vast majority of police officers—all those below the rank of superintendent—the Police Council ceased to be effective and the work of the other national police bodies was similarly affected.

For the next 12 months, morale in the police service was at a very low ebb. All ranks of the police service felt—with justification—that they were underpaid and undervalued. They considered it totally unjust that at a time when the police were assuming increased responsibilities, coping with increasing demands and being exposed to increasing stresses—including the risk of serious injury—many constables were finding it increasingly difficult to make ends meet. Pay was at the root of the problem, but their sense of frustration was increased by the fact that they could see no redress for their grievances unless they were given new negotiating machinery, which would command the full confidence of the police service. Like members of the Armed Forces, the police officer has no right to press for improved pay or conditions of service by withdrawing his labour. If he

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is dissatisfied with his conditions he has just two options: to seek improvements through the statutory negotiating machinery or to resign.

In a situation where the negotiating machinery had broken down, increasing numbers of policemen felt that they were, in fact, left with only one option; they took it and resigned. At no other period in police history has there been such a severe wastage of experienced officers through resignation, and there were just two underlying causes—dissatisfaction with pay and dissatisfaction with the negotiating machinery. Others felt that the only way of achieving a fair rate of pay was by industrial action and at the Police Federation's annual conference in May 1977 a resolution calling for the police to be given the right to strike was endorsed by an overwhelming majority. It was against this background that the Edmund-Davies committee was appointed in August 1977 to review the police negotiating machinery and make recommendations. Four months later, its terms of reference were extended to include the issue of police pay.

The debt that we owe to the committee has been widely acknowledged. It is difficult to think of any report that has been welcomed as unreservedly and with as great a degree of unanimity as the Edmund-Davies report on police pay. This was a well-earned tribute not only to the immense amount of work that the committee put into its demanding task but to the judgment that it displayed in formulating its recommendations. I think, too, that it reflected the esteem with which the police service is regarded very generally and served as an acknowledgement that the high standards that we rightly demand of our police officers must be reflected in adequate rates of pay.

The implementation of the committee's report on police pay completely reversed the trend during the two years preceding its publication. Between the end of 1976 and the publication of the committee's report in July 1978 the strength of the police service in England and Wales decreased by nearly 1,700. Most forces were under strength, some of them seriously so. Between July 1978 and the end of November 1979 the strength of the police service in England and Wales increased by about 5,500, to an all-time record of over 113,000. Recruitment is

now running at 40 per cent. above the rates for the 12 months ended 30 September 1978, while wastage is now about 35 per cent. below the rate for that period.

The present state of police morale is high. We want to keep it that way, but if we are to do so we need to get the negotiating machinery right. That is why the Edmund-Davies report on the police negotiating machinery—which went largely unnoticed when it was published in the same volume as the committee's report on pay—is so important. In general, the committee endorsed the overall shape of the existing negotiating machinery. It recommended that the new negotiating body, like the Police Council, should comprise an official side and a staff side. It thought it right that representatives of the local authority associations should, with representatives of the Home Departments, form the official side, since police forces are maintained by the local police authorities. It did, however, recommend three important changes.

The first change was that the new negotiating body should have an independent chairman and one or more deputy chairmen, appointed by the Prime Minister. This genuinely independent voice would not only provide continuity but might serve to help in bringing the two sides to agreement.

The second change was that the new body should have an independent secretariat. This would serve to ensure that suitable research facilities were available to both sides and so would overcome the disparities between the experience and expertise available to the official side and the more limited resources at the disposal of the staff side.

The third change was that one-third of the local authority representatives on the official side should be magistrates. This would ensure that the new negotiating body reflected the composition of police authorities, which are composed of two-thirds elected members and one-third independent magistrates.

The Edmund-Davies report recommended that legislation should be introduced as soon as parliamentary time could be found to give statutory effect to the new body; meanwhile, it should operate on a non-statutory basis. The new body, known as the Police Negotiating Board, was established after wide-ranging consultations with all the



[Mr. Brittan.]

interested parties in July 1979. The chairman is Lord Plowden, who was a most appropriate choice, not only because his qualities of judgment and impartiality made him acceptable to all parties, but because he was a prominent member of the Edmund-Davies committee. The effect of the Bill will be to complete the committee's work on the negotiating machinery by implementing the recommendation that the new body should be established on a statutory basis.

Turning now to the Bill, Clause 1 provides for the establishment of the Police Negotiating Board. Subsection (1) provides that it is to be composed of representatives of the police authorities and the police staff associations and that it is to consider such matters as police pay, allowances, pensions and conditions of service. Subsections (2) and (3) leave the detailed arrangements for the establishment of the board—that is, the board's constitution—to be made after consultations between the Secretary of State and the bodies represented on the board, but require the chairman and any deputy chairmen to be appointed by the Prime Minister. Subsection (4) gives the Secretary of State power to defray any expenses incurred by the board and to pay the chairman and deputy chairmen such fees as he may determine, with the approval of the Minister for the Civil Service. Subsection (5) provides that on the establishment of the board the Police Council for the United Kingdom shall cease to exist.

Clause 2 confers certain statutory functions on the board. Subsections (1) and (3) require the Secretary of State, before making regulations about matters with which the board is concerned, to have regard to any recommendation made by the board and to furnish the board with a draft of the regulations. As under existing legislation, this requirement does not apply to pensions matters, in respect of which the Secretary of State is merely required to consult the board before making regulations. Subsection (2) requires the board's constitution to include suitable arrangements for reaching agreement on recommendations to the Secretary of State and for the reference of any dispute to arbitration.

Clause 3 deals with repeals, and the short title, commencement and extent of the Bill.

Perhaps I might comment briefly on two of the more important Edmund-Davies recommendations that are not reflected in the Bill itself. The first is the recommendation that the new negotiating body should have an independent secretariat. As the explanatory and financial memorandum indicates, the independent secretariat will be provided by the Office of Manpower Economics. This has been agreed by all the interested parties during the extensive consultations which have preceded the establishment of the Police Negotiating Board on a non-statutory basis. But it seems right that formally the arrangements for the independent secretariat should be set out in the constitution of the board, which is to be drawn up through the consultations required under Clause 1(3) rather than through specific provision on the face of the Bill itself. That is the reason why the independent secretariat is not mentioned in the Bill. I can assure the House that there is no disagreement about the Edmund-Davies recommendation for the independent secretariat.

Mr. Eldon Griffiths (Bury St. Edmunds): I am glad that the hon. and learned Gentleman has said what he has. Of course, he is entirely right. The independent secretariat is running, is doing a good job, and has already been taken care of by the consequential arrangements under the clause that now retrospectively acknowledges its existence.

Mr. Brittan: I am grateful to my hon. Friend, in view of his particular position, for confirming what I have said.

The recommendation that one-third of the local authority representatives on the official side of the new negotiating body should be magistrates is a matter that I should deal with. The local authority associations were initially opposed to this recommendation, but in the consultations preceding the setting up of the board on a non-statutory basis they agreed to implement it. As with the question of the independent secretariat, it is appropriate to leave the arrangements giving effect to this recommendation to the consultations required under clause 1(3).



**Mr. George Cunningham** (Islington, South and Finsbury): The Minister has twice said that one-third of the official side—the representatives of the police authorities—would be magistrates. Just to get the record straight, would he qualify that by saying that that refers to the representatives of the police authorities in England and Wales, and not in the whole of the United Kingdom?

**Mr. Brittan**: I am grateful to the hon. Gentleman.

As I said earlier, this is a short Bill and, I hope, a non-controversial one. It is, nevertheless, very important for the long-term health of the police service, and for this reason I commend it to the House.

6.35 pm

**Mr. George Cunningham** (Islington, South and Finsbury): The main lines of this Bill are uncontroversial both in content and in origin. The Committee to which the Minister of State referred was established by my right hon. Friend the former Home Secretary and the present Government have inherited its recommendations and are implementing them, as the former Labour Government would have done.

From this side of the House, too, I want to pay a tribute to the Committee for its valuable work and above all to Lord Edmund-Davies, the Chairman appointed by my right hon. Friend. Committees of inquiry can be good or bad, but they are rarely a rapid means of disposing of a problem. In this case the speed of the work was as much to be commended as its quality, for the police service was passing through a crisis at that time and rapid decisions were needed.

But another tribute is due, and perhaps as someone who was not a member of the Labour Administration I can be permitted to pay it. My right hon. Friend the Member for Leeds, South (Mr. Rees) had the bad luck to be Home Secretary at a time when the pay policy which was such a vital part of our campaign—our successful campaign—to get inflation down and keep it down, made it difficult to do for the police what everyone would otherwise certainly have wanted to do. The problems with the police in 1976 and 1977 were caused by pay policy, but that pay policy worked. It got inflation down

to levels that make today's level look quite South American by comparison.

My right hon. Friend the Member for Leeds, South deserved understanding then, and deserves thanks now, for having been the man in the middle who could not escape causing resentment from that fact. He got more kicks than ha'pence for his trouble at the time, not least from the then Opposition. If that situation existed today, and if that negotiating machinery existed today, the local authority representatives on the negotiating machinery would find it a great deal more difficult to cope, with the rigid restrictions on local authority expenditure which the present Government have imposed.

The police service has emerged from that unhappy period. The recommendations on pay made by the Edmund-Davies committee set up by my right hon. Friend have had a dramatic effect on recruitment, as the Minister said. Wastage is down by 30 to 40 per cent., and recruitment is up by 30 to 40 per cent.

This Bill, on the surface, deals with rather technical and detailed arrangements for negotiating police pay, but behind it lies a more fundamental question of the status of the police in relation to local and national government. We should address ourselves to that fundamental issue in the course of this debate, at least to some extent. It was, after all, the feeling of some of the Police Federations that they should negotiate with national Government, not with local government, which led to the walk-out about three years ago, and the new arrangements provided for in the Bill to some extent reflect that preference.

I want to deal first with the machinery proposed in the Bill. One problem that we have in doing so is that to a great extent this is an enabling measure. We cannot find in the clauses an account of just who will compose the official side of the board. The chairman and the deputy chairman will be persons appointed by the Prime Minister. We already know that Lord Plowden will be the chairman, as he is of the non-statutory board now, and we know the intentions as to the rough composition of the board as set out in the Edmund-Davies report, but we should have from the Minister tonight a better indication than we have had either at this stage or in the discussions in the House of



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Is one to assume that discourtesy to the leaders of great nations is now both obligatory and universally applied so far as the Labour Party is concerned?

**The Prime Minister:** I am grateful to my hon. Friend. I hope that we shall do honour to the president of a country who is a staunch and powerful ally in the defence of freedom and a great friend of Britain. To do otherwise would cause untold harm to our relations with that country, to the alliance and to the whole relationship between the United States and Europe. I remember the occasion when the Labour Party invited Mr. Kosygin to address both Houses of Parliament. We, on the Conservative Benches, loyally went along with it.

**Mr. Gordon Wilson:** Harking back to the question on the British National Oil Corporation, the Prime Minister said in her reply that the shares and value of BNO were a long-term asset that investors would realise and recognise. Will she agree, in those circumstances, that it would be more appropriate not to put those shares into the market because of the long-term potential and to make sure that the full value is recouped when the market for oil shares rises again?

**The Prime Minister:** No, Sir. We believe that public ownership is better expressed by shares being genuinely in the hands of individual men and women and not in the hands of the State. In particular, it gives a chance for all those who work for BNO to acquire a stake and a share in their own company.

**Q3. Mr. Ward** asked the Prime Minister if she will list her official engagements for 11 March.

**The Prime Minister:** I refer my hon. Friend to the reply that I gave some moments ago.

**Mr. Ward:** Has my right hon. Friend had time to study the advice given to the National Union of Mineworkers by Mr. Joe Gormley at a dinner given in his honour last night, to the effect that the trade union movement should reject Left-wing extremists? Does she not think that it would be helpful if the Leader of the Opposition endorsed this advice?

**The Prime Minister:** I believe that Mr. Gormley rightly condemns extremists in the trade unions. I believe that, in expressing that view, he is firmly supported by the vast majority of trade unionists as well as the vast majority of the people of this country. I also noted his remark that if one follows the leadership of the bully boys, it will be good riddance to a lot of jobs in British coal mining. He has the true interests of the workers of this country at heart.

**Mr. Allen McKay:** Will the Prime Minister therefore do a favour to Joe Gormley and ask her right hon. Friend

the Secretary of State for the Environment when he intends releasing a decision on the Vale of Belvoir as this is needed for replacement capacity in the Leicester coalfield? Or is there collusion between the Secretary of State for the Environment and the Secretary of State for Energy to sell off the Vale of Belvoir?

**The Prime Minister:** My right hon. Friend the Secretary of State for the Environment, who was responsible for making a decision on this planning application, will, I hope, be in a position to make an announcement soon.

**Viscount Cranborne:** Will my right hon. Friend find time today to study this week's reports in the *Washington Post*, particularly those referring to the right hon. Member for Crosby (Mrs. Williams)? Will my right hon. Friend find time to congratulate her on her perspicacity in recognising the resurgence in the fortunes of the Conservative Party?

**The Prime Minister:** I am grateful to my hon. Friend. I believe that the view expressed in the *Washington Post* will be shared by many people in Britain.

**Mr. William Hamilton:** I revert to the question of nurses' pay. Does the right hon. Lady regard it as defensible that her Government should agree to give the police a 13 per cent. increase this year while they give nurses a 6 per cent. increase? Is a nurse worth only half what a policeman is worth? Even with a 6 per cent. increase, a staff nurse will earn less in a year than the right hon. Lady has given as an increase this year to Princess Margaret.

**The Prime Minister:** The Government were pledged to uphold the Edmund-Davies report on police pay. They have done so and will continue to do so. The Government should not take lessons from the hon. Gentleman on nurses' pay. After all, it was the Labour Government who kept down nurses' pay in their last years and then referred the whole matter to Clegg.

**Mr. William Hamilton:** That is not true. The right hon. Lady is deceiving the House.

**The Prime Minister:** It was this Government who honoured the Clegg recommendations, who reduced the weekly working hours of nurses and it is this Government who now pay, through the taxpayer, 76 per cent. more on nursing pay bills than was paid on the day we came into power.

**Mr. William Hamilton:** Not a single nurse has got that.

**The Prime Minister:** The hon. Gentleman never did like the facts, but those are the facts.



Police, May 79, Pay