CABINET

CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W.1, on Wednesday, 30th July, 1969, at 10.30 a.m.

Present:

The Right Hon. HAROLD WILSON, M.P., Prime Minister

The Right Hon. MICHAEL STEWART, M.P., Secretary of State for Foreign and Commonwealth Affairs

The Right Hon. LORD GARDINER, Lord Chancellor

The Right Hon. BARBARA CASTLE, M.P., First Secretary of State and Secretary of State for Employment and Productivity

The Right Hon. FRED PEART, M.P., Lord President of the Council

The Right Hon. ANTHONY CROSLAND, M.P., Minister of Industry

The Right Hon. GEORGE THOMSON, M.P., Minister without Portfolio

The Right Hon. ANTHONY WEDGWOOD BENN, M.P., Minister of Technology

The Right Hon. CLEDWYN HUGHES, M.P., Minister of Agriculture, Fisheries and Food

The Right Hon. GEORGE THOMAS, M.P., Secretary of State for Wales

The Right Hon. JUDITH HART, M.P., Paymaster General

The Right Hon. ROY JENKINS, M.P., Chancellor of the Exchequer

The Right Hon. RICHARD CROSSMAN, M.P., Secretary of State for Social Services

The Right Hon. JAMES CALLAGHAN, M.P., Secretary of State for the Home Department

The Right Hon. PETER SHORE, M.P., Secretary of State for Economic Affairs

The Right Hon. WILLIAM ROSS, M.P., Secretary of State for Scotland

The Right Hon. EDWARD SHORT, M.P., Secretary of State for Education and Science

The Right Hon. RICHARD MARSH, M.P., Minister of Transport

The Right Hon. LORD SHACKLETON, Lord Privy Seal

The Right Hon. ROY MASON, M.P., Minister of Power

The Right Hon. JOHN DIAMOND, M.P., Chief Secretary, Treasury
The following were also present:

The Right Hon. JOHN STONEHOUSE, M.P., Postmaster-General (Items 3 and 4)

Mr. JOHN MORRIS, M.P., Minister of Defence for Equipment (Item 4)

Mr. ROY HATTERSLEY, M.P., Minister of Defence for Administration (Item 5)

The Right Hon. Sir ELWYN JONES, Q.C., M.P., Attorney-General (Item 4)

Secretariat:
Sir BURKE TREND
Miss J. J. NUNN
Mr. R. R. D. MCINTOSH
Sir ROBIN HOOPER
Mr. G. F. KEAR
Mr. G. P. PRATT

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1. The Cabinet were informed that it was proposed that the 1969–70 Session of Parliament should be opened on 28th October. The remainder of the present Session’s business might well occupy the House of Commons for the two previous weeks.

In discussion attention was drawn to the possibility that Government time might have to be found to deal with the House of Lords amendments to the Divorce Bill.

The Home Secretary recalled that the Cabinet had invited the Secretary of State for Scotland and himself on 22nd May to move during the remainder of the Session the resolutions required under the Murder (Abolition of Death Penalty) Act 1965 to continue permanently the abolition of capital punishment. The precise timing of this would require further consideration in September.

The Lord Privy Seal drew attention to the importance of introducing Bills suitable for introduction in the House of Lords during the early part of the Session so as to avoid the congestion of business in the House of Lords during the summer.

2. The Foreign and Commonwealth Secretary said that, before leaving Anguilla on his resignation, HM Commissioner, Mr. Cumber, had submitted a report on the situation. This was being studied in the Foreign and Commonwealth Office and Ministry of Defence, who were also considering the possibility of withdrawing without replacement the paratroops at present stationed in the island, if the situation permitted. Consideration would also be given, in consultation with the Home Secretary, to reducing the Metropolitan Police contingent or withdrawing it altogether. As it would be difficult to bring the matter to the Defence and Oversea Policy Committee or the Cabinet during the Recess, he suggested that any decisions which might be necessary during the Recess should be taken...
by the Prime Minister, himself, the Home Secretary and the Defence Secretary.

The Cabinet—

(1) Took note of the statement by the Foreign and Commonwealth Secretary.

(2) Agreed that any questions which might arise during the Recess in regard to force levels in Anguilla, or the Metropolitan Police contingent there, should be taken on the basis proposed by the Foreign and Commonwealth Secretary.

The Foreign and Commonwealth Secretary said that at the meeting of the Foreign Ministers of the six countries of the European Economic Community (EEC) held at Brussels on 22nd July, the French Foreign Minister, M. Maurice Schumann, had proposed that a summit meeting of the Six should be held to discuss the enlargement of the Community. The other five countries had not objected to this proposal, but had pointed out that the enlargement of the Community and its development should be considered together. At the meeting, the Commission of the European Communities had been instructed to bring up to date their 1967 “opinion” regarding the admission of the United Kingdom to the EEC. On the whole the meeting had gone well and the Netherlands Foreign Minister, Mr. Luns, had expressed himself as well pleased with its results.

The Cabinet—

(3) Took note of the statement by the Foreign and Commonwealth Secretary.

(4) Agreed to discuss the problem of Britain’s entry into the EEC further after the Recess.

The Foreign and Commonwealth Secretary said that the International Committee of the Red Cross (ICRC) had reached agreement with the Nigerian Federal Military Government (FMG) on a relief flight of three or four aircraft direct from Cotonou to the airstrip at Uli in the territory held by the secessionists. The ICRC were now seeking the approval of the secessionist leader, Colonel Ojukwu, and it was difficult to see how Colonel Ojukwu could object.

So far as regular daylight relief flights were concerned, the ICRC had enlisted the support of the Vatican and the Roman Catholic relief organisation “Caritas” in bringing pressure to bear on Colonel Ojukwu to authorise these; but the prospects of securing his consent were not good. There had been some night relief flights, but these had not followed the routes agreed by the FMG, and had taken place against the latter’s wishes. The FMG had agreed in principle to discuss the opening-up of a supply route by ship via the
Cross River with secessionist representatives at a private meeting in Geneva; and we had had some part in promoting this. Meanwhile, two river craft were in Lagos harbour loaded and ready to sail with protein and medical supplies for a month. The Head of the FMG, General Gowon, would not be attending the meeting to be held shortly in Kampala by President Obote of Uganda; but he was sending two Federal Commissioners, one of whom would be Chief Enahoro. The meeting would also be attended by the Administrator of the Eastern Region. This would be a useful propaganda point, as the Administrator was an Ibo.

The Foreign and Commonwealth Secretary drew attention to the attack by secessionist forces on the Shell-British Petroleum flow station at Kokori and the continued activities of Count von Rosen, the Swedish soldier of fortune who was conducting air attacks on targets in Federal territory with light aircraft flown by mercenary pilots and armed in France. The Ministries of Defence and Power, together with the Foreign and Commonwealth Office, were consulting with Shell regarding the defence of the latter’s installations against air attack. The Swedish Government had banned the export of aircraft to Count von Rosen and to the insurgents, but he had been able to obtain aircraft and armaments in France. The Swedish Government had also attempted to curb Count von Rosen’s activities, but had been unable to find any legal basis for doing so.

*The Prime Minister*, summing up a brief discussion, emphasised the importance of Nigerian oil to our balance of payments. It was likely that Shell (though not necessarily the FMG itself) would approach the Government for advice and assistance on the defence of their installations in Nigeria; and the Foreign and Commonwealth Secretary and Defence Secretary, in consultation with the Minister of Power, should discuss with Shell arrangements for air defence with minimum involvement on the part of Her Majesty’s Government. Any action which might prove necessary would be taken, with his approval, by the Ministers concerned. Public presentation was important, and we should avoid giving the opponents of our Nigerian policy any pretext for drawing unfavourable comparisons between our alleged indifference to starvation in Biafra and our zeal in protecting our oil interests.

The Cabinet—

(5) Took note of the statement by the Foreign and Commonwealth Secretary.

(6) Took note, with approval, of the Prime Minister’s summing up of their discussion.
Mr. Gerald Brooke

(Previous Reference: CC (69) 35th Conclusions, Minute 2)

*The Foreign and Commonwealth Secretary said that some of the statements made by Mr. Brooke since his return to the United Kingdom, in particular during his appearance on television, had been interpreted as implying that his activities had been less innocuous than had previously been generally believed. On the other hand, it had always been known that he had been acting for an anti-Communist organisation in this country, though it had not been generally known until his return that he had taken with him coding instructions for contacts in the Soviet Union as well as distributing propaganda leaflets. Mr. Brooke had clearly been indiscreet. In particular, by undertaking during his imprisonment to transmit messages from his fellow prisoners to other Russians, he had laid himself open to serious further charges under Soviet law. But there was of course no question of his being a British intelligence agent, or indeed a spy of any kind. He had returned from imprisonment in a state of some nervous tension, and the possibility that he had been subjected to a form of “brain-washing” could not be excluded. Full reliance could not be placed on all his statements, though it might be possible as time went on to obtain a more coherent and accurate account from him. But it was already clear that, even if all his statements about his activities before his arrest were true, the actions which had afforded the pretext for the original charge against him would not have constituted an offence under British law.

In a brief discussion, the following points were made—

(a) It would not have been possible to prevent Mr. Brooke appearing on television, or to control what he said during his interview. Any attempt to do so would have been counter-productive.

(b) The exchange of Mr. Brooke for Mr. and Mrs. Kroger had been criticised on the ground that we had been handed a comparatively innocent in exchange for two important agents. Mr. Brooke’s statements might do something to suggest that he was of more importance—at any rate in Soviet eyes—and that the bargain was a less unequal one than had previously been supposed.

(c) On several occasions, Ministers visiting the Soviet Union had been asked to make representations on behalf of Mr. Brooke. They had always done so on the basis that Mr. Brooke had been guilty only of the comparatively minor indiscretion of distributing propaganda material. Should it be established that there was some basis of fact for the statements he had made since his return, the Ministers concerned might retrospectively be placed in an awkward position.

The Cabinet—

(7) Took note of the statement by the Foreign and Commonwealth Secretary and of the points made in discussion.

* Previously recorded as a Confidential Annex.
The Foreign and Commonwealth Secretary said that he had been considering whether any initiative could usefully be taken within the framework of the Four-Power talks on the Arab-Israel problem between the representatives on the Security Council of the United Kingdom, the United States, France and the Soviet Union. The talks were temporarily in abeyance pending the outcome of bilateral discussions between the United States and Russia; and it was unlikely that there would be any movement on this until September, when he would be taking soundings at the meeting of the United Nations General Assembly. Meanwhile, incidents between the two sides continued. We had urged restraint on both parties and were in consultation with France and the United States on how best the temperature might be lowered.

The Prime Minister said that the question of a British initiative in the Four-Power talks had been discussed by the Defence and Oversea Policy Committee on 28th July. He would also be discussing the matter with the United States President when Mr. Nixon landed in this country on 3rd August on his way home from his tour of Rumania and South-East Asia.

The Cabinet—

(8) Took note of the statements by the Prime Minister and the Foreign and Commonwealth Secretary.

CONFIDENTIAL

3. The Cabinet considered memoranda by the Postmaster-General on the pay of grades represented by the Post Office Engineering Union (POEU) and on the effects of industrial action by the PEOU in support of their current pay claim (C (69) 109 and 110); and by the Lord Privy Seal on the possible repercussions of a settlement of the PEOU pay claim (C (69) 111).

The Postmaster-General said that the Post Office was faced with a claim by the PEOU for a 10 per cent increase, to take effect from 1st July, 1969. The claim was based partly on comparability and partly on productivity. The PEOU grades were also due to have a comprehensive pay review in 1970 with an operative date of 1st January. The Ministerial Committee on Prices and Incomes had authorised him in June to offer, without prejudice, 5 per cent based solely on productivity. The Union rejected this and carried out a one-day strike on 14th July. The Committee had then authorised him to increase his offer to 7 per cent, and later 8½ per cent; but he had not in fact offered the Union anything above 7 per cent.
accompanied by a concession on overtime hours which had been authorised by the Committee. The POEU, who had been very co-operative in the past on productivity and other matters, were now in a militant mood. A further strike would have very damaging consequences for telecommunications services. He proposed that when meeting the POEU on the following day he should be authorised either to offer 7 per cent from 1st July, 1969, with a guarantee of at least a further 3 per cent on 1st January, 1970; or to offer to call in an independent arbitrator on the Union's claim and to bring forward the start of the projected pay research study, while leaving the operative date at 1st January, 1970. If the Union rejected both these offers he would like authority, in agreement with the Chancellor of the Exchequer and the First Secretary of State, to offer 8 per cent from 1st July with a further 2 per cent from 1st January, 1970.

The Lord Privy Seal said that to offer the POEU 10 per cent or anything approaching that figure would have serious repercussions in the non-industrial Civil Service and elsewhere. It would mean that over a period of about three years POEU members would receive an increase of 28 per cent, compared with 14 per cent for non-industrial technicians who were their nearest analogues. To give way to the POEU's demands would encourage the existing trends towards militancy among the Civil Service unions. A strike would not necessarily have such damaging consequences especially as the POEU had no strike funds. In any case, if there had to be concessions, it would be best for these to be made after a strike had taken place, and not simply under the threat of militant action.

In discussion, the importance of adhering to traditional negotiating procedures was emphasised. The right course was to determine in advance the maximum figure for which the Government would be prepared to settle and to insist on the matter going to arbitration if the Union rejected this. The principle of comparability had many advantages from the employer's standpoint and should not be lightly abandoned.

Against this, it was pointed out that the POEU had themselves suggested arbitration with a view to securing an award on grounds of comparability and then exacting a price for every future concession on productivity, on which they had previously been very co-operative.

In further discussion it was suggested that there were good prospects of reaching a settlement on the basis of 8 per cent from 1st July, 1969, to which any increases from the pay review in January 1970 would be added. On the other hand, it was urged that the repercussive effect of yielding to militancy should not be under-rated; even if the Government were forced to make concessions in the end,
it was important that they should not appear to have given in too easily.

The Prime Minister, summing up the discussion, said that although some members of the Cabinet considered that the right course was to stand firm on 7 per cent, the general view was that if the POEU rejected this the Postmaster General should be authorised to offer in addition a guarantee that they would receive a further increase of at least 3 per cent from 1st January, 1970, as a result of the forthcoming pay review. If it were likely to be helpful he could also point out to the unions that it would be open to the new Post Office Corporation, which would be conducting negotiations after 1st October, 1969, to start the pay research review before the end of the year.

The Cabinet—

(1) Invited the Postmaster General, if his proposed 7 per cent pay increase was rejected, to offer the POEU in addition a guarantee of a further increase from 1st January, 1970, of at least 3 per cent, as the outcome of the forthcoming comprehensive pay review, together with the prospect of an early start on the review.

The First Secretary of State said that, although agreement had been reached some time ago on the pay for work at the new container terminal at Tilbury of Overseas Containers Limited and Associated Container Transportation, representatives of the No. I Docks Group of the Transport and General Workers Union (TGWU) had refused to ratify the agreement for work at the terminal until negotiations were completed on the second stage of the dock modernisation programme. In June, the employers had refused to proceed with these negotiations unless the Tilbury container terminal agreement was ratified; but at a joint meeting in her Department on 10th July, they had offered to resume the negotiations with a commitment to reach a settlement and put it into effect by 1st October, 1969, together with certain other concessions to the trade unions, provided that the Tilbury container agreement was accepted. The No. I Docks Group representatives had not accepted this offer, and a further meeting of the two sides would take place on Thursday, at which the port employers proposed to reaffirm their decision of last June and, if this failed to convince the trade union representatives, to make public their offer of 10th July. If this were to happen, there might be a good deal of trouble at docks throughout the country, but the present seemed to be the least harmful time for any such consequences. Despite a natural suspicion of the port employers’ real intentions
and of their hitherto faulty judgment, she proposed to let them proceed as they proposed, in the hope that at the meeting or thereafter the dockers might be brought to see the advantages for them of the Tilbury container terminal agreement and of permitting further progress with the second stage of the modernisation programme. She would arrange to be consulted about the terms in which the port employers made their proposed public announcement. There was no need to take steps to prepare for a full-scale emergency, since industrial action was not likely to be more than sporadic at least for some little time.

The Cabinet—

(2) Took note of the statement by the First Secretary of State.

CONFIDENTIAL

4. The Cabinet had before them a note by the Secretary of the Cabinet (C (69) 102) covering a memorandum on the timing and method of the release of the records of the 1939-45 War.

The memorandum proposed that, in order to avoid the inconvenience to historians which would result from the normal application to the records of the 1939-45 War of the Thirty Year Rule, further complicated by the assembly rule under the Public Records Act, which would result in the papers becoming available piecemeal over some six years, those which were known from experience to be most in public demand (the "cream" papers) should be opened together in 1972. Those Departments which could release papers, whether among the "cream" or not, on the normal date under the Thirty Year Rule where this was earlier than 1972, would do so; and where the concentration of the available resources on the scrutiny and release of the "cream" papers involved a delay in the opening of other papers, the delay could be authorised under Section 5(1) of the Public Records Act. The arrangements were designed to achieve the release of the papers en bloc, with the minimum increase in the staff required to carry out the necessary scrutiny of the papers and the identification of those which must be kept closed for a longer period. Most Departments believed that they could carry out the task within their present staff complement; but the Foreign and Commonwealth Office would require some reinforcement, and the Public Record Office would also need some extra staff, most of them immediately before the opening date. If the Cabinet agreed to the proposed arrangements in principle, it would be necessary to consult "old" Commonwealth countries about the release of shared papers and to inform certain Governments who also had an interest in the opening of the papers. The Leaders
of the Opposition Parties would also be consulted, and, subject to The Queen’s consent being obtained to the disclosure of Cabinet papers, an announcement could then be made in the autumn.

In discussion there was general agreement with the proposed arrangements for the earlier release of the records of the 1939-45 War. It was emphasised that the ability of the Foreign and Commonwealth Office and of the Public Record Office to comply with the proposed timetable would depend on the willingness of the Civil Service Department to agree to the necessary increases of staff where these could not be found within the present limits.

The Cabinet—
Approved the proposals in C (69) 102.

SECRET

5. The Cabinet considered memoranda by the Secretary of State for the Home Department (C (69) 108) and by the Minister of Defence for Administration (C (69) 107) about developments in Northern Ireland.

The Home Secretary said that, when the Apprentice Boys of Londonderry held their annual parade on 12th August, there was a prospect of more severe disorders than since the recent unrest began in Northern Ireland. Four times as many people as usual were expected to participate. The event was so well established and on such a scale that any attempt to ban it would provoke more trouble.

Although the underlying trend was for moderate opinion to recognise that the Northern Ireland Government were serious in their pursuit of reforming policies and for leaders of all but the extreme factions to be willing to join together to prevent violence, the events of the weekend of 12th-13th July had shown how suddenly and gravely violence could erupt. The situation was placing a severe strain on the Royal Ulster Constabulary (RUC), on whose efficiency we depended if British troops were not to be involved in maintaining law and order. He was concerned therefore that the RUC should have every reasonable means to carry out their duties unaided. For this purpose tear gas could be vital; and its use by the RUC would be preferable to the intervention of British troops. On Sunday, 13th July, the Northern Ireland Government had renewed more urgently an earlier request for supplies of the CS type of tear gas which was less harmful than the CN type which the

* Previously recorded as a Confidential Annex.
RUC already held. He had agreed, in the light of the situation at that time, and with the concurrence of the Prime Minister and the Defence Secretary, that CS gas should be supplied from Service stocks, on the condition that its use would be subject on each occasion to the specific and prior approval of the Northern Ireland Minister of Home Affairs, and that it would be used only if the RUC had exhausted all other means of controlling a disorderly crowd and would otherwise have to open fire or call for assistance from British troops. The decision had been ratified by the Group of Ministers who had been considering the Northern Ireland situation and he asked the Cabinet to endorse it. We were assured that CN gas would not now be used.

A deputation of Members of Parliament had suggested that either he or representatives of the Home Office should visit Northern Ireland as observers, but he had persuaded them that to go would merely involve him more deeply in the issues which divided the Province. Likewise, he thought that the suggestion that the Prime Minister should go there was ill considered.

The Minister of Defence for Administration said that Northern Ireland officials had raised informally with the Home Office the possibility of using Wessex helicopters, at present stationed in Northern Ireland, for the emergency transport of members of the RUC to a trouble spot where their presence was essential to keep the peace. It had also been suggested that Army Sioux helicopters should be used to observe and report to the police on crowd movements. His view was that, while it was right to try to ensure that the RUC were equipped to control the situation, in the hope that intervention by British troops would be obviated, the overt use of Army helicopters in circumstances where law and order had not broken down would be dangerously provocative. The informal request had been made in the hope that, if the United Kingdom Government turned it down, this would forestall a public request; he could not however guarantee that the Northern Ireland Government would not make a public request.

The 1st Battalion The Prince of Wales’ Own Regiment of Yorkshire (1/PWO) had been sent to Northern Ireland in April this year as an addition to the normal garrison to assist in guarding vulnerable points against sabotage. It was planned that all vulnerable points should be handed back to the RUC by 2nd August, and the battalion understood that they would return to Great Britain not later than 22nd August, in accordance with the assurances given them that their posting to Northern Ireland would be for not more than four months. It had to be decided, therefore, whether 1/PWO should be replaced by another battalion. It was difficult to foretell whether an extra battalion would still be needed, but it would be rash to deplete the forces in Northern Ireland just after the
Apprentice Boys’ parade. He proposed therefore that 1/PWO should be withdrawn as planned on about 18th–22nd August, and replaced immediately by another battalion who should be warned to prepare for the move.

In discussion it was suggested that circumstances might arise in which it would be right to provide Service helicopters to move RUC reinforcements, notwithstanding that the situation did not warrant the participation of British forces generally. It was also pointed out that the police might be so embroiled in a dangerous riot that they could not obtain the authority of the Minister of Home Affairs before they were obliged to resort to the use of tear gas; nevertheless this condition would serve a useful restraining purpose.

The Prime Minister, summing up the discussion, said that the Group of Ministers had considered that the use of troops to assist the civil power would raise fundamental constitutional issues. The Home Secretary had therefore sought by every means to avoid their use save for guarding certain vital installations. It was to reduce the possibility of the use of troops that the Group had ratified the decision to supply CS gas to the RUC on the conditions described by the Home Secretary; and the Cabinet now endorsed that decision. They agreed that Service helicopters should not be made available to the RUC either to transport reinforcements or for spotting crowd movements. There would be advantage however in the Northern Ireland Government exploring the possibility of hiring civilian helicopters. 1/PWO should be withdrawn as proposed on about 18th–22nd August and replaced immediately by another battalion, who should be given adequate notice. Neither the Home Secretary nor representatives of the Home Office should go to Northern Ireland as observers, nor would he go there himself. We had had considerable success in persuading the Northern Ireland Government to introduce measures of reform; the present outbreaks of violence were the work of hooligans and members of the Irish Republican Army rather than a manifestation of serious political grievances. But the underlying causes of unrest—bad housing and unemployment—could not be removed overnight. Furthermore Captain O’Neill, the former Prime Minister of Northern Ireland, had warned that some Unionist members in both the Stormont and Westminster Parliaments might be subjected to increasing pressure from right wing extremists to dissociate themselves from the present reformist policy of the Northern Ireland Government. In the long term, therefore, the situation could raise grave constitutional issues. He, with the Home Secretary, the Defence Secretary and the Foreign and Commonwealth Secretary, if available, should be authorised to take any decision urgently required while Ministers could not be called together.
The Cabinet—

(1) Agreed—

(a) that supplies of CS gas should continue to be made available to the RUC on the conditions already specified by the Home Secretary;

(b) that Service helicopters should not be made available for use by the RUC;

(c) that the 1st Battalion the Prince of Wales Own Regiment should be relieved in mid-August by another battalion on a four month tour of duty;

(d) that it would not at present be appropriate for the Prime Minister, the Home Secretary or Home Office observers to visit Northern Ireland.

(2) Authorised the Prime Minister, the Home Secretary, the Defence Secretary and, if available, the Foreign and Commonwealth Secretary to take any decisions urgently required.
