

File



cc: PC

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

27 July 1989

See staple.

ANTI-TERRORIST LEGISLATION IN NORTHERN IRELAND

Thank you for your letter of 26 July recording your Secretary of State's view that we do not need a major review of the whole field of anti-terrorist legislation in Northern Ireland, and that this year's annual review, with somewhat enhanced terms of reference, will provide a sufficient basis to plan post-1992 legislation. The Prime Minister is content with this approach.

I am copying this letter to Stephen Wall (Foreign and Commonwealth Office) Colin Walters (Home Office), Paul Stockton (Lord Chancellor's Office), Brian Hawtin (Ministry of Defence), David Crawley (Scottish Office), Michael Saunders (Law Officers' Department) and Trevor Woolley (Cabinet Office).

Yours sincerely,

Charles Powell

Stephen Pope Esq
Northern Ireland Office.

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From: THE PRIVATE SECRETARY

CCP
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NORTHERN IRELAND OFFICE

WHITEHALL

LONDON SW1A 2AZ

King Plumster

Mr King accepts your view
that a major review of
anti-terrorist legislation is not
necessary. He thinks

not

July 1989

Charles Powell Esq
Private Secretary
10 Downing Street
LONDON
SW1A 2AA

Dear Mr Powell Lord Colville's regular annual
review is enough.

ANTI-TERRORIST LEGISLATION IN NORTHERN IRELAND

CB1247

My Secretary of State has seen your letter to Stephen Leach of 10 July in which you reported that the Prime Minister had expressed reservations about having a major review of the whole field of anti-terrorist legislation in Northern Ireland so soon after the passing of the 1987 Act.

Our current Emergency Legislation, as Mr King explained, expires in March 1992, and we shall, of course, have to consider most carefully well before then what improvements we, and the security forces, should like to see made. That points inevitably to some kind of review: indeed, NIO Ministers went on record during the passage of the 1987 Bill explaining that there would be a further 'fundamental review' before that legislation expired, to examine what provisions might then be needed. However, on reflection, Mr King considers that a high profile independent review of the kind canvassed in his letter of 6 July to the Home Secretary is not essential to meet that commitment or to provide the best way forward at this time. He believes that any independent reviewer would reach a similar conclusion, that emergency legislation with much the same content as the present provisions will still be required after the existing law expires in March 1992. As he sees it, what will be required after that date will be a new Act which will make some relatively limited adjustments to the present law (dropping some obsolescent provisions and tightening up one or two others); and then the consolidation of what remains into a coherent corpus of anti-terrorist law. (This process of consolidation might include putting into a new Northern



Ireland statute the purely NI provisions of the Prevention of Terrorism Act 1989.) In preparing and presenting this new law the aim would be to demonstrate to informed opinion both abroad and at home, especially in Parliament, that the Government keeps the temporary emergency provisions legislation under proper and regular scrutiny, and that no provision is retained or introduced unless it is absolutely necessary.

The previous major reviews of this area of the law - by Lord Diplock, Lord Gardiner and Sir George Baker - all took place before the introduction of the present system of annual independent reviews of Emergency Legislation, the reports of which we publish before Parliament is asked to renew the powers for a further year. For the past three years, these reviews have been carried out by Lord Colville. Mr King believes that this year's annual review, provided that it is given somewhat enhanced terms of reference, would provide a sufficient basis on which to plan and justify the necessary post-1992 legislation. The security forces are by now well used to the concept of annual reviews, and regularly make their own contributions to them. On this scenario the invitations to submit representations, which Lord Colville customarily issues at the start of his reviews, would this year make it clear that the Government would be attaching a special importance to his findings since it was intended that they should inform the preparation of the legislation that would be necessary to replace the present Emergency Provisions Acts after 1992. If the Prime Minister is content with this approach, we will put the necessary arrangements in hand.

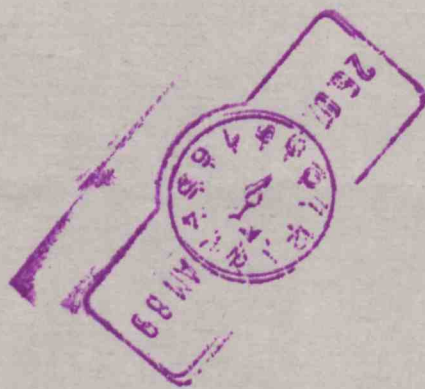
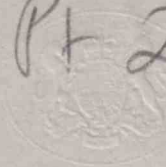
Copies of this letter go to the recipients of yours.

Handwritten signature of Stephen Pope

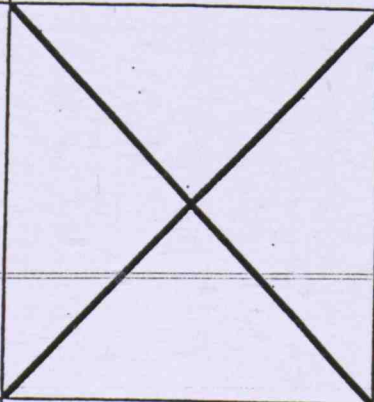
STEPHEN POPE



Ireland 87 Pt 27



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DEPARTMENT/SERIES	<i>PREM 19</i>	Date and sign
PIECE/ITEM (one piece/item number)	<i>3408</i>	
Extract details:	<i>Powell to Walker dated 26 July 1989</i>	
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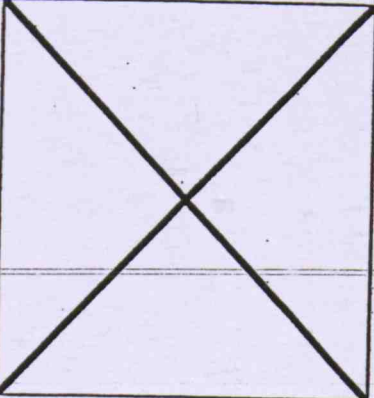
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DEPARTMENT/SERIES	<i>PREM 19</i>	Date and sign
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c/c 12.

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

17 July 1989

Dear John,

ALDERGROVE INFANTRY BATTALION

Thank you for your letter of 12 July about the proposed changes in quartering arrangements in Northern Ireland. The Prime Minister agrees to the proposed changes but notes that they will need very careful presentation indeed, if they are not to give the wrong signal. She would like to see any proposed statement or explanation, and have an opportunity to comment on it, before it is given publicly.

I am copying this letter to Richard Gozney (Foreign and Commonwealth Office), Stephen Leach (Northern Ireland Office), Colin Walters (Home Office) and Trevor Woolley (Cabinet Office).

Yours sincerely,
C. D. Powell

(C. D. POWELL)

John Colston, Esq.,
Ministry of Defence.

SECRET