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SECRETARY OF STATE

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HOME SECRETARYREFORM OF THE PREVENTION OF TERRORISM LEGISLATION AND FUTURE OF
EXCLUSION ORDERS

1. Thank you for sending me a copy of your minute of 6 October to the Prime Minister.
2. As you say, it has long been our intention to reform the existing counter-terrorism legislation and to replace it by a permanent UK-wide statute. I accordingly agree with your proposal to publish a consultation document on the options in the New Year. I agree, too, that this should draw on, though not be confined to, the recommendations arising from Lord Lloyd's Inquiry into legislation against terrorism. I assume your officials will consult mine in drawing up the consultation paper.
3. I am also content that you should announce your intention to revoke all outstanding exclusion orders and to allow the exclusion powers to lapse when the Prevention of Terrorism Act comes up for renewal next year, provided, in each case, that PIRA's ceasefire continues. (I assume you see no need to retain the powers in respect of those terrorist groups who do not subscribe to the current ceasefire). I do see this as an essential proviso, not least because, as you say, the proposals may well attract criticism from the Unionists. It would certainly send the wrong signal, in my view, if such proposals were to be announced without this condition, given the clear risk that the ceasefire may break

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down. Given then that there is a risk of having to reverse our position in the event of the ceasefire breaking down in the intervening 4 months, there would be merit in announcing the intention to revoke next week but only doing so when the Act came up for renewal.

4. I am sending copies of this minute to IN colleagues, Donald Dewar, Ann Taylor and Sir Robin Butler.

Ministry of Defence
9 October 1997

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