

SECRET AND PERSONAL

Ref: BO.2347

MR HOLMES

cc Ms Polley
Mr Fittall

IN CORRESPONDENCE

Now that you have endorsed the NIO proposal on Parades legislation, there are two pieces of outstanding correspondence from the Secretary of State for Northern Ireland and the Home Secretary seeking IN clearance. You may find it helpful to have our comments on them.

Reform of the PTA and Exclusion Orders

2. IN agreement is sought by 10 October, and I understand that the Home Office and NIO intend to make a statement on 16 October. As you know, we think it would be prudent to delay making a statement until we are clearer about the outcome of the PIRA GAC which is likely to happen this weekend. I understand that Dr Mowlam wants to have the Government's intentions on record before the Emergency Provision Bill is introduced after the Recess. A delay of a few days should not upset this timetable.

3. Aside from this we see no difficulties in the proposals and we do not expect other Departments to intervene.

Emergency Provisions Bill

4. The NIO has now backed down on its proposal that offences which should be subject to non-jury trials should be certified in rather than certified out. This was because of the objections of principle from the Attorney General. The only remaining point is the proposal to drop the internment power.

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Prime Minister
The PIRA GAC
1015 is taking place
tonight in the

Republic. We should
get some clues about
its outcome on Monday.
In a case you want to
discuss the legislation

with us. There
is still a

case for
talking her on
an internment.

John
18/10

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attached

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The main argument against this is that internment is a necessary last resort in the face of a future grave terrorist risk in Northern Ireland, and if needed would have to be introduced without warning.

5. Dr Mowlam has already announced her intention to repeal the power, and it is, of course, longstanding Labour Party policy. We understand that Mr Straw and Mr Robertson are unlikely to intervene. But at the very least we should not confirm these intentions until we are clearer on PIRA's position following the GAC.

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MICHAEL PAKENHAM

10 October 1997

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