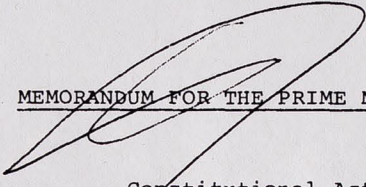


This is ok. until the Supreme Court decision. But after, <sup>considered of require,</sup> we 's more should be ~~ok~~. Paul Davis said he would gladly go. We should also <sup>think of</sup> ~~and~~ Paul Martin, academics, etc.

SECRET F3-11(1)

April 22, 1981



MEMORANDUM FOR THE PRIME MINISTER

Constitutional Activities in London

Purpose

To seek your approval for a program of activities in London which will ensure passage of the constitutional bill by July 1 (or, if the Court decision is delayed well into June, before Westminster's July 24th adjournment). Approval is desirable this week as the planned activities begin next week.

Current Situation

If the Supreme Court renders a favourable judgment, the provinces' remaining efforts to defeat the package in Britain could cause delay in our timetable for its speedy passage in Britain. The provinces have mounted, over the past few months, an extensive public relations campaign in Britain and have said that they will increase their activities next month. They have utilized with some success both traditional (parliamentarian to parliamentarian contact, public speeches) and unconventional (businessman briefings of party financial supporters, letter writing campaigns) tactics.

In addition to these provincial activities, we must counter a fairly widespread feeling amongst British Parliamentarians that even if they will pass the measure (assuming a favourable Court decision), they will do so in their own way and on their own timetable. Consequently there is also a need to intensify our efforts to explain the package's political legitimacy and maximize the likelihood of its enactment on our timetable.

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S E C R E T

Thus, while the British government remains the primary object of our attention, we must recognize the continuing importance of creating a favourable parliamentary climate for quick passage of the resolution. In addition to Mrs. Wadds' contacts with the British government, the High Commissioner and her constitutional task force have been conducting a program to counter the provinces' arguments with influential members from all parties of the British Parliament, leading caucus, public associations and study groups, and select editorial writers. This program needs to be intensified.

Message

In our briefings of British MPs and Lords, the following themes will be emphasized:

- a) The Supreme Court decision will confirm the legality of the package.
- b) Canadian parliamentary adoption will confirm its political legitimacy.
- c) The British Parliament should not focus on the substance of our package.
- d) The need for speedy passage.

Considerations

The proposed intensified program of activities is based on the following considerations:

- a) It is necessary to raise the federal profile and explain the federal position. Care must be exercised however, not to press our case to the point of being counterproductive while continuing to apply consistent pressure for its speedy passage.
- b) While we are not able to wage an information campaign in Canada as long as the issue is before the

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S E C R E T

Supreme Court, what we do or what happens in Britain will attract significant media coverage in Canada. This calls for an intensive but low profile campaign in Britain, consisting of only private events.

- c) Public lobbying by Canadian Cabinet Ministers in Britain, prior to a Court decision, will have a negative impact on the Supreme Court. Therefore, no minister-to-minister contacts on the Constitution are envisaged until after the Supreme Court decision. We shall continue to maintain close government to government contact (e.g. Kirby and Gibson may meet Mr. Pym next week in response to the latter's request for an update).
- d) Although no explicit ministerial lobbying will be undertaken, Ministers who will be in Britain on other business (e.g. John Roberts Ditchley Conference) would participate in official High Commission hospitality which would offer opportunities to speak privately with British MPs about the Constitution.
- e) Supportive MPs, businessmen and supportive provincial parliamentarians who will carry added weight with British MPs, particularly conservative backbenchers and members of the House of Lords should be used.
- f) Ongoing monitoring and intelligence of provincial manoeuvring in London will be needed.

Program Elements

The intensified campaign proposed in London prior to the Supreme Court decision is informational in character, stressing personal informal contact with MPs; no public appearances, press conferences or formal party briefings by Canadian MPs are anticipated without prior consultation and approval.

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S E C R E T

- f) We are aiming to have our activities in London intensify and grow to the end of May to coincide with the expected date of the Supreme Court decision.

The outlined proposals, including a strengthened constitutional task force, have been discussed with and approved by Mrs. Wadds. Do you agree with this approach and specific proposals?

In the context of the foregoing, you will wish to give further consideration to stopping over in London on May 19th. The discussion on this proposal in your office this morning was inconclusive.

s.19(1)



Michael J.L. Kirby



F.P.R.O. B.R.F.P.

Michael Kirby

APR 27 1981

F3-11(1) 7/1

CONFIDENTIAL

April 27, 1981.

NOTE FOR MR. MICHAEL KIRBY

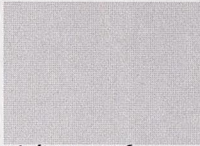
The Prime Minister called this afternoon and asked me to pass on to you the following comments regarding your memorandum on Constitutional Activities in London.

"This is O.K. until the Supreme Court decision, but after much more should be considered if required.

Bill Davis said he would gladly go.

We should also think of Paul Martin, academics, etc."

s.19(1)

  
Cécile Viáu.  
