



Prime Minister

2pp's (2)  
2 MARSHAM STREET  
LONDON SW1P 3EB

MUS 8/12

My ref:

Your ref:

7 December 1981

*See below*

Thank you for copying to me your minute of 1 December to the Prime Minister about the European Court of Human Rights and compensation for closed shop victims.

I'm afraid your proposal could have grave implications for the consequences of a current case that is before the European Commission concerning noise intrusion on a property at Gatwick airport - no doubt the one you allude to. Trade is in the lead here but, if the case goes badly, Transport's interests and the corresponding ones in the Scottish and Welsh Offices could also be seriously affected. My interest, which is less direct, is as custodian of the policy and law on land compensation and allied matters.

The Commission have provisionally found the Government in breach in the Gatwick case. John Biffen is awaiting the Attorney General's advice on the effects that might be set by the precedent of a friendly settlement. To legislate as you propose for the closed shop cases is at first sight likely to hazard greatly the prospects of containing these effects. At its worst the result would be very much more costly than the settlements in your proposal.

I think therefore we must discuss the issue with our colleagues.

I am copying this to the Prime Minister and to copy addressees of your minute.

*10 → ew*

MICHAEL HESELTINE



7 DEC 1981

