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PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

30 April 1984

- MR BIRD
- MR MUSEY
- SCI
- MR JAMISON
- MR STUART
- CI MR LORD
- MR GAISH
- MR MORGAN
- MR PATEY
- MR INGHAM
- MR WALMSLEY

Dear Keith

CORPORAL PUNISHMENT

Thank you for your letter of 12 April about the form of next Session's legislation to meet the ECHR judgement on corporal punishment in schools. I have also seen the letters of 13 April from George Younger and 17 April from the Prime Minister's Private Secretary.

I see that George Younger has doubts about the wisdom of legislating at all. I must say that I do not see how the Government can meet the undertaking to the ECHR without taking such action in respect of England and Wales, and I should have thought the issue we face now is not whether to legislate but what the precise effect of the legislation should be. It may well be that the position remains different in respect of Scotland, though if the voluntary movement towards abolition of corporal punishment (which memorandum H(83) 14 indicated was due to be completed by the end of the 1983/84 school session) has run into the ground I am not clear how Scotland is going to comply with the judgement without legislation. I gather that you have it in mind to discuss the issues with George Younger during the coming week, and it would be helpful if you could let the Committee know your conclusions. If George still considers that legislation should be avoided, or you both think it should take a different form from what you have so far advocated, I think you will have to bring the matter back to a meeting of H Committee.

I am sending copies of this letter to the Prime Minister, other members of H Committee, to the Attorney General and the Lord Advocate, and to Sir Robert Armstrong.

John Williams

The Rt Hon Sir Keith Joseph Bt MP

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