



*l agree with the
F-8 as indicated
not*

*CF: ppc return withers
pps for tomorrow's meeting
Dms
28/1*

Prime Minister (4)

To see - especially paras 5 and 6.

PM/85/8

PRIME MINISTER

*You are due to have a first
discussion of the Review, with the
Home Secretary only, on Tuesday.*

Public Order Review

*Dms
28/1*

1. The Home Secretary minuted to you on 15 January about the Public Order Review. Several aspects of this exercise have implications for our foreign policy. I have already discussed the most important of these with the Home Secretary.

2. I welcome the general thrust of the Home Secretary's recommendations, in particular to give more powers to the Police in relation to processions and static demonstrations. I agree that legislation will be controversial, but I believe the Government should not shy away from it.

3. Although I am concerned about our responsibility to safeguard Embassies, I agree that it is better not to make a special reference to them. As in the case of picketing they can be covered by the general rules. The Home Secretary has assured me that the added Police powers he envisages would enable the latter to take into consideration possible disruption of the work of Embassies and Consulates, which should enable the Police to contain the sort of demonstrations which might cause the most resentment.

4. I would have liked the proposed new powers in relation to static demonstrations to include the power to ban such demonstrations and a requirement to give prior notification. I believe it will be difficult for the Police to impose conditions effectively if they only find out about demonstrations at the last minute. But I accept that what



is proposed on static demonstrations is a step forward, and that Police views on what powers are possible or desirable for them to exercise must carry weight.

5. As indicated in sub-paragraph (c) of paragraph 6 of the Home Secretary's minute, we approach the question of controlling demonstrations, which have important implications for our national interests overseas, from different viewpoints. I understand the traditional libertarian arguments, but I have been struck recently by the problem of demonstrations sponsored primarily by immigrant groups in this country on political issues arising not at home but abroad, for example the Sikh marches. I would have liked to see the Government, through the Home Office, invested with powers to take into consideration not only questions of law and order in the UK, but also the implications for our major political and commercial interests overseas, including the safety of British subjects, in deciding whether to ban or control processions and demonstrations. I accept that this would involve difficult political decisions. But that in itself would be no argument against the change, if it was otherwise desirable. The one argument that causes me to pause is that the availability of the power might increase the risk of blackmail attempts by overseas Governments on the basis that if we did not ban a certain march they might take over British property etc: we should, in other words, be making a stick for our own back. For the moment at least, I am just persuaded by this point. But we may well need to revert to it in the future.

6. I was puzzled by the Home Secretary's decision to continue to make broadcasting an exception for statements which would give rise to the offence of incitement to racial hatred (paragraph 6(h)). Despite the control supposed to be exercised by the broadcasting authorities the exception seems illogical. Whether or not they constituted "real abuse" Dr Chauhan's

/statements



statements on BBC Radio 4 last June created greatly increased
tension not only in our relations with India, but among
communities in this country. The domestic element in this
question is of course preponderant, but I hope the Home
Secretary might think again on this point.

7. I am sending copies of this minute to Leon Brittan,
George Younger and Sir Robert Armstrong.

A handwritten signature in blue ink, appearing to be 'G. Howe', written in a cursive style.

(GEOFFREY HOWE)

Foreign and Commonwealth Office
24 January 1985

HOME Affairs : Review on
Public Order : March 1980

24 JAN 1985

