



QUEEN ANNE'S GATE LONDON SW1H 9AT

31 October 1983

*Davis*  
*11"*

Dear Lord President,

Since I circulated to colleagues last week my memorandum on trespass (H(83)37), David Mellor and Rodney Elton have had informal discussions with the Earl of Onslow and Lord Renton who, you will recall, plan to introduce another Bill on this subject in the House of Lords this Session. I thought I ought to let H colleagues know, in advance of tomorrow's discussion of my paper (which David Mellor will attend in my place), the outcome of these talks.

Lords Onslow and Renton have asked for a meeting because of their concern that we still had not announced the conclusions of our review of the law in this area. They believe strongly that a new offence is needed and needed soon. Their own Bill - which was unsatisfactory in a number of respects - of course fell with the Dissolution. But they now have indicated that they would like Government support for a reintroduced measure and are willing to adapt their earlier proposals to make them acceptable to us.

Their earlier Bill received considerable, if not unanimous, support in the Lords, and my assessment - subject of course to your and colleagues' views - is that our position in that House could become very difficult if we were seen to be brushing aside the efforts of the Bill's sponsors to be conciliatory. What this points to, I think, is that we cannot easily refuse drafting assistance to two of our supporters when there is nothing of substance between our two approaches except the priority we accord to the subject.

David Mellor will accordingly be suggesting that the Committee agree to my seeking authority for drafting assistance to be given. This would be on the understanding, of course, that such assistance carries no commitment whatsoever to our making time available in the Commons and on the footing that the sponsors would be putting forward a Bill which was entirely in line with Government policy. The Bill's sponsors have been left in no doubt that we have other priorities in this Session's programme.

I thought it might be helpful for the Committee to know of this development and I am, therefore, copying this letter to other members of H, and to Sir Robert Armstrong.

(Approved by  
the Secretary of  
State and signed  
in his absence)

*Yours sincerely*  
*H Taylor*

The Rt Hon Viscount Whitelaw, CH., MC.