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QUEEN ANNE'S GATE LONDON SW1H 6AT

12 June 1984

*no*  
*R Wilson,*

*Await response*

*Dr*

*13/6*

ANIMALS LEGISLATION

We have already discussed in QL which Bills should be given priority booking for the 1985-86 Session. That discussion looked at potential legislation largely in terms of its length and complexity and the benefits that would be secured in terms of readiness, by taking an early decision, as to the composition of the programme. I of course accept that the right choices were made on those grounds. But I should like to return, for quite different reasons, to the question of the need for a decision, in time for The Queen's Speech at the opening of the 1984-85 Session, on the timing of the Living Animals (Scientific Procedures) Bill. Naturally I recognise that there are other candidates for the 1985-86 programme but I believe there are exceptional reasons why we ought to commit ourselves publicly, this year, to legislation on animals during 1985-86.

As you so well know, the background is, of course, that although the current legislation, the Cruelty to Animals Act 1876, still works surprisingly well, its survival has become indefensible. That is why, in two successive Manifestoes, we have committed ourselves to replacing it with modern legislation, described in some detail in the May 1983 White Paper (Cmd 8883). Details of the Bill will be fairly controversial, but nobody disputes that new legislation is needed.

My proposal is that

- (a) there should be an announcement at the time of The Queen's Speech for the 1984-85 Session that legislation on the lines of the White Paper will be introduced in the 1985-86 Session; and
- (b) there might also be a reference in that Queen's Speech along the lines that the Government would be "taking further its legislative proposals" in this field.

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I urge this for several reasons.

- (1) We must defuse the high level of public and political concern. Home Office Ministers now receive over 150 letters every month from MPs about the animals legislation. In the last year we have received 4,000 letters from members of the public. The uncertainty is making backbenchers restive, in response to considerable constituency pressure. The Opposition Parties, too, may be compelled to drift to a more extreme position. Already Richard Ryder, the President of the British Union for the Abolition of Vivisection, is the Liberal Party spokesman on animals. If he gains strength, the anti-farming and anti-field sports lobby will have won useful points. This February there was a hysterical press campaign against the work of the Ministry of Defence's Chemical Defence Establishment at Porton Down, which shows the continuing high level of media interest.
- (2) We must maintain the considerable consensus we have achieved with moderate animal welfare interests. The longer our decision is put off, the more the consensus will slip away. It is perhaps surprising that any sort of consensus was achieved in the first place.
- (3) We badly need to concentrate the minds of many people in biomedical science and industry on the need to come up from behind the parapet and stand up and be counted in support of our proposals. They must stop lying low and start lobbying properly.
- (4) We must live up to international expectations. The European Community and the Council of Europe look to us to be among the first to ratify the Convention which will be adopted by the Council of Europe this summer.

- (5) We are second only to the United States in biomedical research. We must stay there.
- (6) There is a big industry interest, particularly in pharmaceuticals, one of British industry's biggest success stories. Without modern legislation its survival is in peril, because of the threat of much more extreme restrictions the longer the legislation is delayed.
- (7) The anti-vivisection movement is well-funded and increasingly violent. We must put paid to this.

The Bill is a Manifesto commitment and I have often repeated our commitment to enact it in the current Parliament. I would again repeat my guarantee that instructions to Parliamentary Counsel will be ready by January 1985.

I have copied this letter to the Prime Minister, to my QL colleagues, to Sir Robert Armstrong and to First Parliamentary Counsel.

*Handwritten signature*

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PRIVY COUNCIL OFFICE  
WHITEHALL LONDON SW1A 2AT

22 June 1984

*John Biffen*

*Dr  
26/6*

**ANIMALS LEGISLATION**

Thank you for your letter of 12 June on this difficult subject. You will have seen the replies from Quintin Hailsham and John Biffen. No other members of the Committee have commented. I must say that I myself see the force of their arguments, whilst sympathising very much with your problems. I am afraid, therefore, that we cannot give you the firm place for which you ask. Perhaps you can do your best with the formula which John has suggested.

As far as a mention in this year's Queen's Speech is concerned, I think that there are precedents for mentioning legislation to be taken in a subsequent Session, although I do recognize the force of Quintin's argument in this respect. Like John, I would be prepared to look at this in the context of the draft Queen's Speech, if you think it will really help, although I have my doubts that it will.

I am sending copies of this letter to the Prime Minister, the other members of QL, to First Parliamentary Counsel and to Sir Robert Armstrong.

*John Biffen*

The Rt Hon Leon Brittan QC MP

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HOUSE OF LORDS,  
SW1A 0PW

21 June 1984

*My dear Willie,*

*Dr  
25/6*  
Animals Legislation

I have read with interest and, I must say, with some concern Leon Brittan's letter to you of 12th June in which he suggests that, mainly because of our manifesto commitment and because of public and political concern, agreement should now be given by QL Committee to a place for legislation on animals in the session 1985/86.

As you know, and indeed as Leon concedes in the first paragraph of his letter, the reasons why agreement has already been given to the inclusion in the 1985/86 programme of a number of Bills are in every case that the relevant Bill is of such length and complexity that if agreement and drafting permission had not now been given, the Bill might well not be ready for introduction in time for it to be passed during the session 1985/86.

Leon has not suggested that these reasons apply to the animals legislation which he proposes, and indeed I do not see that they could. What he is in effect suggesting is that decisions should be taken on the content of the Government's legislative programme eighteen months ahead, and made public a year in advance, solely to relieve the pressure on his Department.

/I must

The Right Honourable  
The Viscount Whitelaw CH MC  
Lord President of the Council  
Privy Council Office  
Whitehall  
London S.W.1

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I must say at once that I would be entirely opposed to such a development. I am not for a moment saying that this is a Bill which should not be included in the programme for 1985/86; what I am saying is that the appropriate time for Leon to put forward the very cogent reasons expressed in his letter is when QL Committee meets next year to discuss the programme for that session. If agreement is now reached on his proposal, it will inevitably be followed by a spate of suggestions from other Ministers who also have favoured legislative proposals for which they would like to secure a place in the 1985/86 programme, and their Departments may well be coming under just as much pressure from backbenchers and the public in relation to those topics as the Home Office apparently is in relation to animals legislation. The result would be that, very soon, the programme for 1985/86 would be almost wholly decided. Room would of course be left for urgent emergency legislation, but there would be little chance for legislative proposals which, though possibly just as important in their own way, did not happen to arouse such a degree of public interest.

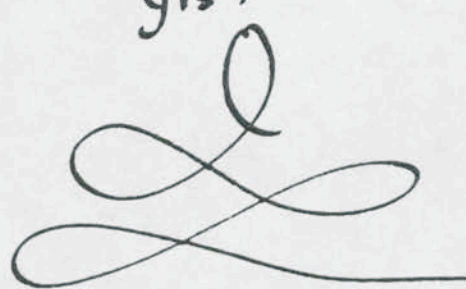
There is another point. I think it would be highly presumptuous for the Government to suggest that The Queen should include in her speech on the opening of parliament any reference to legislation which is not to be introduced in that session of Parliament. When She makes Her speech it is certain that Parliament will sit for that session with the present Government in office. The session may be prematurely brought to a close for reasons which we cannot yet guess at, but at least it will take place. However, while I have no reason to suppose that the present Government will not be in office for the session 1985/86, nothing in life is certain, and I am sure it would be regarded as much by our supporters as by the Opposition as highly presumptuous for the Government to put into The Queen's mouth words which suggest that the present

/Government

Government will be in office, not only for the session of Parliament which She is opening, but also for the following session.

I must make it clear that I am not for a moment disputing the merits of the proposed legislation. All I am saying is that the proper time to decide whether or not such legislation should be included in the programme for 1985/86 is next year, when all competing bids for the legislative programme are known. The only exception to this rule should be the one we have already agreed, where a Bill is of such length and complexity that agreement has to be given in advance.

I am sending a copy of this letter to Leon Brittan and the other recipients of his letter.

Yrs ;  


LORD HAILSHAM OF ST. MARRIOTTONE CH, F.R.S, D.

Pam Leg Pt 12



22 JUN 1984





*Mr. Fisher*

*21/6.*

PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

21 June 1984

*Dear Willie,*

ANIMALS LEGISLATION

*File with DB*

I have seen Leon Brittan's letter to you of 12 June in which he in effect asks for a commitment to the inclusion of his Living Animals (Scientific Procedures) Bill in the 1985-86 Session. I sympathise very much with the reasons why he wishes to achieve this objective, but I also think that what he is asking puts the Committee in a very difficult position.

As you know, Cabinet agreed that five Bills could be given a place now in the 1985-86 programme. This is something of an experiment, but I hope that it will prove to be a valuable one which we shall want to repeat in future years. However, if it is to be successful, we must ensure that the limit which has been set is maintained. Otherwise, it seems to me, we shall find ourselves in the position where, throughout the year, we are approached by colleagues with requests to add Bills to the 1985-86 programme. This cannot be satisfactory when we have not seen the full range of Bills to be put forward. I am afraid, therefore, that for this reason I must argue against what Leon is proposing. However, I do not think that that means that he cannot say anything about legislative prospects. There is a well established form of words to the effect that legislation will be brought forward as soon as Parliamentary time allows and I see no reason why he should not use that when questioned.

What I am suggesting would not necessarily rule out a reference in the 1984-85 Queen's Speech. This is a matter to which we could revert when we meet to discuss the Queen's Speech and when we have a suggested text before us. We can then see how such a promise would appear in the light of the other commitments made in the Queen's Speech.

I am copying this letter to the Prime Minister, other Members of QL, to Sir Robert Armstrong and to First Parliamentary Counsel.

*John Biffen*

JOHN BIFFEN

The Rt Hon Viscount Whitelaw CH MC  
Lord President of the Council

Home Affairs: Animal Welfare Jurors

21 JL 1984

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