

DRAFT LETTER FOR SIGNATURE BY LORD GOWRIE

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April 1983

Thank you for your letter of 17 March in which you followed up some of the points raised in the debates on 14 March. Perhaps I could deal with them in the order you suggest.

The Secretary of State and I pay careful attention to the many representations we receive about the emergency legislation, (particularly from organisations such as the Standing Advisory Commission on Human Rights), and about the forthcoming Review of the Emergency Provisions Act. Jim Prior hopes to get the Review under way within the next few weeks and has given considerable thought to its appropriate terms of reference. He believes they will meet with general satisfaction.

On the Fair Employment Agency, I regret that I cannot say anything more at present about affirmative action and enforcement. These are matters for the Fair Employment Agency itself, which as you know is an independent statutory body. However, I am confident that the additional staffing approvals, of which I have already informed you, will assist the Agency in carrying out its important task.

On joy-riding, I think we all recognise the higher risks run in Northern Ireland, where the security forces cannot always differentiate immediately between the joy-rider and the terrorist who may be about to attack them. In these circumstances, the occasional tragedy is almost inevitable; thankfully, there have been none recently.

Turning to the experimental schemes you mention, the West Belfast Auto Project was set up in May 1980 by a Steering Committee representative of the Probation Service, social services and community workers. A report on joy-riding children, prepared in July 1980 by the Co-Ordinating Committee on Social Problems (an inter-Departmental Committee under the chairmanship of the Department of Health and Social Services) recommended that Government funding should be made available to the project. Extern, a voluntary organisation primarily engaged in work with offenders and potential offenders, took over control of the project in September 1980 and funding was provided on a joint basis by DHSS and NIO. This support has continued, with the newly-established Probation Board taking over funding responsibility from NIO. The Department of Economic Development has also provided grant towards the salaries of ^{two} 12 employees of the Project.

The Scrambler project, also run by Extern from the same premises as the Auto project, began in September 1982. Finance was provided by DHSS using resources made available for counter-unemployment measures, the administration of which now rests with the Department of Economic Development.

Both projects are being monitored to gauge their impact on the problem of joy-riding children but, as I said during the debate on 14 March, it is too early to measure their success and, therefore, to predict how long they will continue. Any decision to set up similar projects would depend on the success of the existing schemes, the needs which might be identified for such schemes elsewhere and on the resources available for funding. Much the same criteria, particularly those relating to the effectiveness of the intervention applies to the continuation of the present project.

Other intermediate treatment projects in the Province, while not specifically geared to joy-riders or young offenders, could include such young people in their numbers. In addition, the Department of Economic Development, in liaison with Extern and the Northern Ireland Association for the Care and Resettlement of Offenders is funding workshop facilities to which young people are referred by the Probation Service.

The Report of the Children and Young Persons Review Group (the Black Report) which was published in December 1979, acknowledged the range of activities which the Health and Social Services Boards, the Probation Service and the Youth Service had developed within intermediate treatment and encouraged their further development. The Report also supported the need for a co-ordinated approach in providing help for children. The generality of the Report was accepted in principle by Government on publication and detailed consideration is presently being given to how best to proceed.

You will appreciate, therefore, that co-operation does exist between agencies involved with children on the provision of intermediate treatment schemes in the Province and this will grow as existing relationships are consolidated and co-ordination improves.

So far as the Flags and Emblems Display Act is concerned, while a case for repeal can be made out, the issue is one which self-evidently needs to be handled very carefully. Repeal might well be misinterpreted by both communities. Unionists might see such a move as a withdrawal of protection for the Union flag, while the Republican element in the nationalist side of the community might regard it as a licence to flaunt the Tricolour. As I said in my

It might be thought that

reply on this point (Official Report Vol.440 No 64 Col 587), the use of, and the need for, the Act will be kept under close review, but I do not think I can go further than that at the moment.

Regarding your question about the transfer of prisoners from Great Britain to Northern Ireland, I am quite willing to look at any individual cases which you might wish to raise with me. You will understand however that if we were to decide in favour of a transfer Home Office agreement would need to be sought before a move could be implemented.

Finally, Jim Prior and I are very much aware of your concern and that of the Standing Advisory Commission on Human Rights about the nationality and residential restrictions on voting at district council and Assembly elections. I can assure you that the points made in the Commission's Annual Report of 1975-76 and raised by you on 28 January and 14 March will be borne very much in mind.

I hope you will find this reply helpful if inevitably rather lengthy.

-Hidden copies: PS/S of S (B & L)
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Mr Buxton
Miss Davies
Mr Coulson
Mr Boys Smith
Mr Radcliffe
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