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Treasury Chambers, Parliament Street, London, SW1P 3AG
071-270 5000

7 January 1994

The Rt Hon The Lord Wakeham
Lord Privy Seal & Leader of the House
of Lords
Privy Council Office
68 Whitehall
LONDON
SW1

Dear Lord Privy Seal,

REVIEW OF THE NORTHERN IRELAND BROADCASTING RESTRICTIONS

Peter Brooke's letter of 24 December invited colleagues' views on the future of the Northern Ireland Broadcasting restrictions.

I believe the restrictions need to be strengthened. The broadcasting of the interviews with Adams on 25 October shows just how far it is possible for the media to exploit the loop-hole on verbatim reporting contained in the Home Office letter to the BBC of 24 October 1988. Despite the instructions issued to television producers, the synchronisation on occasion is near-perfect.

Of course, terrorist organisations will seek to undermine our reputation for freedom of speech. But the reasons for the restrictions are as forceful now as when they were first introduced. I am sure that Jill Knight reflected the views of many people that the Adams' interviews appeared to be a direct justification for the Shankill bombings.

I see considerable merit in drawing on the Republic of Ireland's approach. I am attracted, in particular, to the provision in their regulations which directs their Broadcasting Authority to refrain from broadcasting 'any matter which is an interview or report of an interview' with the spokesmen of proscribed organisations. I appreciate that this could cause us problems in Strasbourg but the Irish regulations have not fallen foul as yet

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of European Law. I would not rule out retaining separate regulations for Parliamentary election campaigns.

If colleagues are not prepared to contemplate the Irish model I am prepared to consider alternative options. However, I believe that as an absolute minimum we should prevent direct quotation. This could be achieved by a second letter to the BBC, which would exclude the option of verbatim reporting. The result would be to show film of listed spokesmen accompanied by reported speech in the third person, along the lines of the option mentioned by the Radio Authority.

I appreciate the delicate nature of the timing of any such change, and would understand if colleagues wished to delay action on this front until we have a clearer response to the Downing Street Declaration.

I am sending a copy of this letter to the Prime Minister, to all members of EDH, Gillian Shephard, Michael Heseltine, Nicholas Lyell, and Alan Rodger, and to Sir Robin Butler.

Yours sincerely

Nicholas Rayner

(Approved by the Chancellor and signed in

KENNETH CLARKE

his absence)