

PRIME MINISTER

## THE LEGAL PROFESSION IN SCOTLAND

A couple of weeks ago you commented on the first draft of Malcolm Rifkind's Green Paper on the legal profession in Scotland. You urged him to give the document a clearer sense of direction, and to give it broadly the same positive slant as the Lord Chancellor's English Green Paper. Your comments were supported by the Treasury, DTI and the Lord Chancellor.

The Scottish Office reply of 1 March attaches a redraft of the document. The covering letter indicates that substantial changes have been made. But it continues to argue that the Scottish document should not be as forthright as the English one; it stresses the importance of recognising both the differences of substance between England and Scotland, and the different tactics appropriate for dealing with the Scottish position.

Other colleagues in responding to this redraft have welcomed the changes made. But both Lord Young (Flag B) and the Lord Chancellor (Flag C) continue to press for further strengthening of the draft. I understand that the Chancellor will be commenting in a similar vein. The need further to strengthen the draft is supported by Carolyn Sinclair (Flag D).

I imagine you will not want to offer detailed comments on this latest draft. But you will want to consider whether to offer general support from colleagues for further strengthening.

Do you want to leave this to colleagues to sort out?

Or

Do you want to comment:

- welcoming the changes already made and recognising the need to tailor the document to Scottish conditions?

- but urging a bit more emphasis on the benefits of competition and a firmer steer on those areas where the Government has a clear view?

*Recd.*  
(PAUL GRAY)

3 March 1989

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*The consequences of not doing so would be very obvious and*