



PM/83/15

PRIME MINISTER

Select Committee on Education, Science and
Arts: Public Records

1. You may have seen from the press that, when an official from my Department appeared before the Select Committee on Education, Science and Arts on 24 January, questions were asked about records retained by the security and intelligence services. In addition, the Clerk to the Committee wrote to Sir Robert Armstrong on 7 December with certain questions on the same subject. The Chairman of the Committee has now written to me, and asked me to appear before the Committee. He has also written to the Lord Chancellor. I should appreciate the views of yourself and other colleagues before replying.

2. The background is that the records held by the intelligence and security agencies are exempted, under a blanket approval given by the Lord Chancellor in 1967, from the normal requirement that records should be sent to the Public Record Office after 30 years. This blanket approval was given on the grounds of national security, and in practice all the domestic records of the agencies are currently retained on this basis. However, some intelligence-related material held by other Departments in respect of the wartime periods has been released. The Committee want to pin down the exact criteria for release, and who is responsible for taking the necessary decisions.

/3.



3. I understand that the intelligence agencies are responsible for the preservation of their domestic records in suitable condition for transfer to the PRO if and when a decision is taken that they should be transferred. However, because of the blanket approval, which extends to 1992, they do not at present need to review their records for release. But there is a continuing process of review for the records, including intelligence-related records held by Departments (i.e. not held by the agencies).

4. The Secretary to the Cabinet has general responsibility for the policy on intelligence records as a whole, and for advising the Lord Chancellor, while the Home Secretary, Defence Secretary and I have Ministerial responsibility for our respective intelligence organisations. I should add that some changes in the criteria for release have been made over the years, and some papers have been released which should have been retained, thus creating apparent anomalies and confusing the public presentation of the situation.

5. There is the further consideration that neither the existence of SIS nor the intelligence activities of GCHQ have ever been publicly avowed, and that it is necessary to avoid doing so in any reply. In these circumstances Sir Robert Armstrong, in his reply to the Clerk to the Committee, rightly confined himself to a very general explanation of the situation, and I would propose to reply in similarly broad terms to Mr Price's letter. I enclose a copy of the letter and of a draft reply.

//

6. The question on which I think we should form a common view is whether I, or Sir Antony Acland, should accept the Committee's invitation to appear before them.

/Government



Government policy is that we should be as helpful as possible to the Select Committees. I agree. But if we were to agree that Ministers or senior officials should accept invitations to give evidence in person on this subject, we should very soon, if not immediately, have to fall back on the standard refusal to comment on intelligence matters. This would be unlikely to impress the Committee as a helpful response. On the other hand, if we declined to appear, they could so report to the House and if this were then debated we should expect to face some fairly hostile questioning to which it would not be easy to produce convincing answers. The recent Liaison Committee report (HC 92 of 19 January) drew attention (in paragraph 25) to 'the work of the security services and the question of their accountability to Parliament' and indicated that Select Committees were already free to decide for themselves whether or not to enquire into intelligence and security matters. This particular Committee has little apparent standing to concern itself with security and intelligence matters, and there might therefore be advantage in confronting the issue in this case rather than in that of another Committee with a more obvious claim. Certainly, it is clear that if we accede to the present request, this will create a precedent which the Select Committees concerned would extend as far as they could. The Foreign Affairs Committee, in particular, has already shown signs of wanting to look into GCHQ expenditure in the context of the FCO estimates, and might well press for the extension of the precedent to this or other areas of concern to the agencies under my responsibility.

/7.



7. Thus there are difficulties in both directions,
/ but my inclination is to reply, as in the enclosed draft,
that I see no useful purpose in my appearing or asking
Sir Antony Acland or other FCO officials to do so. I
should be grateful to know whether we are all agreed
that this is the right approach.

8. I am sending copies of this minute to the Lord
Chancellor, the Home Secretary, the Defence Secretary,
the Leader of the House of Commons and Sir Robert
Armstrong.

I agree. If there were any
criticism in the House - the Minister
responsible for any dept. would
have to answer & it
would be necessary to appear. We
could not possibly leave this to officials
no

(FRANCIS PYM)

Foreign and Commonwealth Office

14 February 1983

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM:

Reference

Secretary of State

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Christopher Price Esq MP
 Chairman
 Select Committee on Education,
 Science and Arts
 House of Commons
 LONDON
 SW1A OAA

Copies to:

PRIVACY MARKING

SUBJECT: PUBLIC RECORDS

.....In Confidence

CAVEAT.....

Thank you for your letters of 28 January and 2 February about your Select Committee's enquiry into public records.

Before addressing your questions I should like to emphasise that of course I stand by what I said while Leader of the House about the Government being as helpful as possible to Select Committees. I personally attach great importance to their work and it remains the Government's policy to ensure that the fullest possible information is made available to the Committee. However, as you may be aware, there are some limitations which Ministers have over the years been obliged to impose on what they say to the Committees. These limitations, as the Lord President wrote to the Chairmen of certain Select Committees on 9 May 1967, extend to information affecting national security, and that inevitably includes all information about the activities of the intelligence and security services.

Enclosures—flag(s).....

Against that background, I am afraid there is not very much that I can say in reply to the questions which you ask in your letter of 28 January. The attitude

of this and previous Governments to the handling of papers relating to the security and intelligence services was set out in Sir Robert Armstrong's letter of 3 February to Mr Hastings. The last paragraph, in particular, gives a full account of the present position, on which responsibility for co-ordinating action lies with the Cabinet Office. In these circumstances there is really nothing that I can add to what you have already been told, and I do not think that any useful purpose would be served by the appearance of myself or Sir Antony Acland before the Committee.



Parliament
Lee AH

10 DOWNING STREET

From the Principal Private Secretary

21 February 1983

Dear Tony,

SELECT COMMITTEE ON EDUCATION,
SCIENCE AND ARTS : PUBLIC RECORDS

The Prime Minister has seen and noted the Home Secretary's minute of 17 February commenting on the Foreign and Commonwealth Secretary's minute of 14 February.

You will have seen from my letter of last week to the Foreign Office that the Prime Minister agrees with the Home Secretary's and Foreign and Commonwealth Secretary's line.

Your sincerely,

Robin Butler

A R Rawsthorne Esq.,
Home Office.

AH



Prime Minister 2

You have already approved the Foreign Secretary's refusal to appear before Mr. Price's Committee. The Home Secretary also agrees; and you may like to see the final version of his reply to Sir John Eden (below)

FEB 18.2

PRIME MINISTER

SELECT COMMITTEE ON EDUCATION, SCIENCE AND ARTS:
PUBLIC RECORDS

The Foreign and Commonwealth Secretary sent me a copy of his minute to you of 14 February, seeking views on the reply he should send to the Select Committee on Education, Science and the Arts, and in particular on the question of whether he or Sir Antony Acland should appear before the Committee.

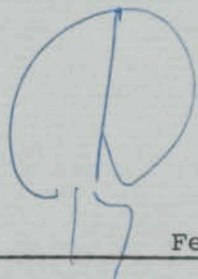
I agree that this is something on which we need a common line. There seems at the moment to be a concerted attempt to discuss security and intelligence matters in Select Committees and I believe that this is something which we must resist, and be prepared if necessary to defend our action on the floor of the House. Sir John Eden recently raised with me the possibility of the Home Affairs Committee undertaking an inquiry into the Parliamentary accountability of the security services and their organisation. Enclosed is a copy of the reply I have sent to him with your agreement. It seems to me right that the Foreign and Commonwealth Secretary should take a similar line regarding the appearance of himself or Sir Antony Acland before the Education, Science and Arts Committee, which in any case appears to be straying from its proper field of responsibility in seeking to discuss intelligence matters.

.....

Flag A -

I note that, in addition to Sir Robert Armstrong's letter to the Clerk to the Committee giving a general response to the specific points raised about public records, the Attorney General on 14 February answered a Parliamentary Question from the Chairman of the Committee on the distinction between wartime intelligence records and those of the inter-war years. This would seem to strengthen the argument that the Foreign and Commonwealth Secretary and his officials should not go before the Committee and be exposed to further questioning on these matters.

I am copying this minute to the Lord Chancellor, the Foreign and Commonwealth Secretary, the Defence Secretary, the Leader of the House and Sir Robert Armstrong.


February 1983



This apparently took
6 days to cross Whitehall
and has been overtaken by
subsequent minutes.

MO 23/2

FERB

28.2

PRIME MINISTER

SELECT COMMITTEE ON EDUCATION, SCIENCE AND ARTS:
PUBLIC RECORDS

Francis Pym sent me a copy of his minute to you of 14th February about the request for him to appear before this Select Committee and I have seen your Private Secretary's letter of 17th February.

2. I agree entirely that Christopher Price and the Committee have already had all the information which can possibly be given to them in the letter from Sir Robert Armstrong to the Clerk of the Committee and in Michael Havers' reply to the oral question on 14th February. It would therefore serve no purpose if the Foreign Secretary were to agree to appear before the Committee.

3. MOD has of course an interest in the particular question of withholding of intelligence-related records, and we make use of the blanket authority to withhold those records which have originated from intelligence sources. My immediate concern however is with the point the Foreign Secretary has made about the creation of a precedent which other Select Committees might follow.

4. You will know that the Select Committee on Defence has initiated an Inquiry into Positive Vetting. We have submitted a memorandum in response to a list of questions the Committee has asked about the process of vetting, and my officials will be appearing on 2nd March to give oral evidence. It is not difficult to imagine that some Committee members may well want to use this as an opportunity to probe other areas of security, or to enquire into the activities of the Security Services - although so far the questions have been strictly confined to the activities of MOD in Positive Vetting.



5. If the Committee does want to stray beyond the confines of the activities of MOD we shall have to think very carefully about how far it might be possible to accede to any of their requests. My initial view is that it would be very difficult to do so. What is absolutely clear however is that we would be in a weaker position to refuse the HCDC were the Foreign Secretary to agree to appear before another Committee - and one with a much less obvious entree to the whole field of sensitive security and intelligence subjects.
6. I am sure therefore that the approach in the draft attached to the minute to you is right.
7. Copies go to the Lord Chancellor, the Home Secretary, the Foreign Secretary, the Leader of the House of Commons and Sir Robert Armstrong.

MSJ

Ministry of Defence
22nd February 1983

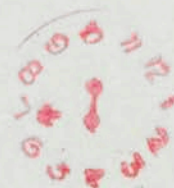
Pam: Select Committees: Pt 5



COMMISSIONER
LONDON

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28 FEB 1985

SECRET



File 6
GR

10 DOWNING STREET

From the Principal Private Secretary

17 February, 1983

Dear Brian,

SELECT COMMITTEE ON EDUCATION, SCIENCE AND
ARTS : PUBLIC RECORDS

The Prime Minister has seen the Foreign and Commonwealth Secretary's minute of 14 February attaching a letter from Mr. Christopher Price, M.P., Chairman of the Select Committee on Education, Science and Arts.

The Prime Minister agrees with Mr. Pym's minute and with the letter attached to it. She has commented that if there were Parliamentary criticism of Ministerial decisions that officials should not appear before Select Committees to answer questions about the Security and Intelligence Services, the Minister responsible for the department concerned would have to answer and, if necessary, appear before the Select Committee. She does not believe that it can be left to officials to defend decisions not to give further information on these matters to Select Committees.

I am copying this letter to Tony Rawsthorne (Home Office), David Staff (Lord Chancellor's Department), Richard Mottram (Ministry of Defence), David Heyhoe (Lord President's Office) and Sir Robert Armstrong.

Yours ever,

Robin Butler

Brian Fall, Esq.,
Foreign and Commonwealth Office

SECRET

NR

4

PRIME MINISTER

I mentioned to you that a co-ordinated campaign appears to be developing to get Parliamentary Select Committees into the area of the security service. You approved this morning the Home Secretary's reply to an approach from Sir John Eden.

The papers below are about an approach to the Foreign and Commonwealth Secretary from Mr. Christopher Price, Chairman of the Education, Science and Arts Committee, who are conducting an inquiry into the "access by academics to records in the Public Record Office". The Committee want Sir Antony Acland to give evidence on the release to the Public Record Office of pre-war intercepts of communications of foreign governments. They have also asked Mr. Pym some specific questions in a letter. The Committee have already had from Sir Robert Armstrong a full written statement of the Government's attitude to the handling of these papers and there is nothing that the Foreign and Commonwealth Office would want to add to it.

So is the Lord Chancellor - flag B

You will see from Sir Robert Armstrong's minute at Flag A that he is content with the reply which Mr. Pym proposes to send to Mr. Christopher Price. Are you also content with it?

You will see that Sir Robert Armstrong will be letting you have advice shortly on how to deal with the general campaign which Mr. Du Cann appears to be instigating.

F.R.B.

16 February 1983

PRIME MINISTER

There are one general and two specific issues in the attached papers.

The general issue is that a co-ordinated campaign appears to have started to get Parliamentary Select Committees into the areas of the security services. The evidence is in paragraphs 5 to 7 of Sir Robert Armstrong's minute of 14 February at FLAG A. Sir Robert is preparing advice on how to deal with this, which will be coming forward later this week.

Meanwhile, there are two specific approaches from Select Committees to which replies need to be sent. One is to the Home Secretary from Sir John Eden, Chairman of the Home Affairs Select Committee, suggesting that his Committee might want to conduct an inquiry into "the Parliamentary accountability of the security services, their organisation and the opportunities for subjecting them to a similar degree of Parliamentary scrutiny as in the USA and Germany". A draft reply agreed between Sir Robert Armstrong and Sir Brian Cubbon, and cleared by the Home Secretary, is at FLAG K. It is urgent because the Committee meets tomorrow morning: the Home Office have arranged to get the letter to Sir John Eden before the meeting provided that I can give them your comments first thing tomorrow.

The second is an approach to the

~~The second is an approach to the~~ Foreign and Commonwealth Secretary from Mr Christopher Price, Chairman of the Education, Science and Arts Committee who are conducting an inquiry into the "access by academics to records in the Public Record Office". The Committee want Sir Antony Acland to give evidence on the release of pre-war peacetime intercepts of communications of foreign governments to the Public Record Office. In the mean time, they have asked Mr Pym some specific questions. They have already had from Sir Robert Armstrong a full statement of the Government's attitude to the handling of papers relating

and there is nothing that the FCO can add to it.
to the security services in a letter ~~from Sir Robert Armstrong.~~
attached to his minute
The reply which Mr Pym proposes to send is at FLAG B, and
Sir Robert Armstrong is content with it.

The Government's response to the general campaign which Mr Du Cann appears to be initiating can be considered when we get Sir Robert Armstrong's advice. In the mean time, do you agree:-

- ii)* the draft reply from the Home Secretary to the Chairman of the Home Affairs Committee (FLAG K) ?
- i)* the draft reply from the Foreign and Commonwealth Secretary to the Chairman of the Education, Science and Arts Committee (FLAG B) ?


SECRET

MR. BUTLER

The Foreign and Commonwealth Secretary has sent me a copy of his minute of 14th February (PM/83/15) to the Prime Minister about the request which he has received from the Chairman of the Select Committee on Education, Science and Arts that he and another Foreign and Commonwealth Office Minister should give oral evidence to the Committee on the withholding of certain intelligence related records from release under the 30 year rule.

2. The records in question are certain pre-war peacetime intercepts of communications of foreign governments. Some (but not all) of the German intercepts from the Second World War have been indirectly disclosed, in that their contents are included in our own military communications which have been deposited in the Public Record Office. But it is one thing to disclose intercepts made of enemy communications in time of war; it would be quite another to disclose intercepts of communications of foreign governments who are not enemies in times of peace. Peacetime intercepts have therefore been withheld in accordance with the approval given by the then Lord Chancellor in 1967 for the withholding from release to the Public Record Office of all security and intelligence related records.

3. As the Foreign and Commonwealth Secretary said in his minute, the Committee has also been putting certain questions to me in this field. I enclose copies of letters from the Clerk to the Committee of 7th December and the Chairman of the Committee of 2nd February, and of my replies.

4. I agree in general with the approach proposed in the Foreign and Commonwealth Secretary's minute and in his proposed draft reply to Mr. Price.

5. The Prime Minister should be aware of two other recent developments:

- (i) The first Report of the Liaison Committee, on the Select Committee system, published last month, included a paragraph which declared that the work



SECRET

of the Security Services falls within the ambit of Departmental Select Committees. I attach a photocopy of the relevant paragraph.

- (ii) Sir John Eden MP, as Chairman of the Home Affairs Committee, has written to the Home Secretary, saying that the Home Affairs Committee is considering as a possible subject for its next inquiry the Parliamentary accountability of the Security Services, their organisation and the opportunities for subjecting them to a similar degree of Parliamentary scrutiny as is done, for example, in the United States and Germany. I attach a copy of Sir John Eden's letter.

6. It begins to look as if all these approaches may be related. Mr. Du Cann, who is Chairman of the Liaison Committee, is known to want to bring the Security ^{and Intelligence} Services under the scrutiny of Select Committees. I hope that I may not be unduly suspicious in wondering whether he is orchestrating these various approaches.

7. I am proposing to discuss these matters further with the Home Office and the Foreign and Commonwealth Office, with a view to our giving concerted advice to Ministers as soon as possible. But I do not think that that need delay a reply by the Foreign and Commonwealth Secretary to Mr. Price on the lines which he has suggested.

RIA

Robert Armstrong

14th February 1983

1

PRIME MINISTER

SELECT COMMITTEE ON EDUCATION, SCIENCE AND THE ARTS

I showed you earlier this week a minute from the Foreign and Commonwealth Secretary, and you agreed that he should refuse a suggestion that Sir Antony Acland should appear before Mr. Christopher Price's Committee.

The attached letter from Sir Robert Armstrong to the Lord President is about a suggestion from Mr. Price that Sir Robert Armstrong should appear before the Committee, to answer questions about record keeping in the Cabinet Office. This is undoubtedly part of the effort of Mr. Price's Committee to enquire into the handling of papers connected with security.

On Mr. Pym's minute, you commented that if there was Parliamentary criticism of a decision not to give evidence on security matters, the Minister of the Department concerned would have to answer it and, if necessary, appear before the Committee. It would appear to be consistent with this that:

- (i) Mr. Price's request that Sir Robert Armstrong should give evidence to his Committee should be turned down, and
- (ii) that the Lord President should send the letter of refusal, rather than Sir Robert himself, on the lines of draft 2 attached to Sir Robert Armstrong's letter below.

Do you agree?

It might be convenient for you to have a word with the Lord President and the Home Secretary about this when they come in at 1215 on Monday morning.

Yes mt

F.R.B.

18 February 1983



HOUSE OF LORDS,
SW1A 0PW

16 February 1983

My dear Francis:

Select Committee on Education, Science and
Arts : Public Records

Thank you for sending me a copy of your minute to the Prime
Minister of 14 February. *W.H. FERB*

It appears that most of the withheld records which the Select Committee have enquired about are to be found among the domestic records of the security and intelligence agencies. Their retention is thus authorised by the so called "blanket" approval given by the then Lord Chancellor in 1967. It is not I think generally appreciated that that approval covered all the records of the intelligence agencies, including the very oldest. If anyone were to give evidence to the Select Committee about these records it would be difficult to conceal this fact, which would probably lead to renewed pressure for the oldest records to be opened up. (You will recall that the White Paper on Modern Public Records accepted the recommendation of the Wilson Committee that "the word "never" cannot justifiably be used in connection with the release of any public records"). I understand that any proposal that even the oldest records of the security and intelligence agencies can yet be placed in the public domain would be most unwelcome to the agencies concerned, so I support your view that the best tactic would be to refuse to give any further evidence to the Committee beyond what they have already been told. Such a refusal will of course tend to add force to the existing pressure that Select Committees should be empowered to investigate security and intelligence matters.

The Right Honourable Francis Pym, MP,
Secretary of State for Foreign
and Commonwealth Affairs

. . . /

SECRET

Your minute enclosed a copy of a letter which Mr Price has written to me asking about the general question of responsibility for release of records to the Public Record Office. I attach a draft of the reply which I propose to send him, which I think you will agree is consistent with the line you are proposing to take. You will note however that my reply makes the point that the responsibility for deciding whether or not a particular record falls within the terms of a "blanket" approval rests with the Department concerned and therefore ultimately with the Minister responsible for that Department.

There is one further point I should make. In paragraph 3 of your minute you suggest that the existing "blanket" approval extends to 1992. This is correct, but you will recall that paragraph 30 of the White Paper described revised arrangements for "blanket" approvals which would in future relate to batches of records created during a specified period of not more than 10 years, with review at 20-year intervals. (Although the White Paper did not say so, this change was introduced as a result of advice from the Law Officers about the vires for the existing "blanket" approvals). It is the intention to revise the existing "blanket" approvals to bring them into line with the proposed new regime, which means that the opportunity for review will arise much sooner than 1992. But this is not at present relevant to the Select Committee's investigation.

I am sending a copy of this letter to the recipients of yours.

Yrs i

A handwritten signature consisting of several loops and a long horizontal stroke at the end.

DRAFT REPLY FOR THE LORD CHANCELLOR TO SEND TO
MR PRICE'S LETTER OF 28 JANUARY

1. Thank you for your letter of 28 January.

2. As I think you know, records may, with the Lord Chancellor's approval, be withheld from the Public Record Office under Section 3(4) of the Public Records Act. It is the duty of the Lord Chancellor to ensure that he has been informed of the facts before granting his approval. Certain of the approvals which have been given by me and my predecessors cover records relating to clearly defined subjects, notably security and intelligence matters. These are known as "blanket" approvals. In ~~this case~~ this sort of approval it is then a matter for individual Departments to decide whether particular records fall within the terms of the approval. In cases of doubt Departments will seek advice from the originating Department or from the Public Record Office.

3. I understand that Sir Robert Armstrong has recently reaffirmed to you the assurances given to the Wilson Committee that security and intelligence records are being properly preserved for transfer to the Public Record Office as and when it is decided that such transfer should take place. Departments periodically review their retained records with a view to their possible release to the Public Record Office when the imperatives of national security no longer prevent their opening.

H. of S. 12

10 FEB 1953

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COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 3000 (Switchboard)
01-219 6243 }
01-219 5774 } (Direct Line)
01-219 6304 }

LORD PRESIDENT
OF THE COUNCIL
RECEIVED
24 MAR 1983
3

EDUCATION, SCIENCE AND ARTS COMMITTEE

D.C.R. Hayhoe Esq.
Private Secretary
The Lord President
of the Council
House of Commons

22 March 1983

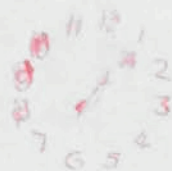
Dear Hayhoe

Thank you for your letter of 14th March. I have now had a chance to discuss it with the Chairman, following the Committee's return from France. They will seek to arrange a meeting with the Departmental Records Officer and other witnesses from the Cabinet Office soon after Easter. I shall be in touch with you soon on the exact date and time but it would seem that Wednesday 20th April at 10.30am is the most likely possibility. The meeting would not be expected to last more than an hour.

However, the Chairman has pointed out to me that, while your letter to me overcomes the misunderstanding arising from the third paragraph of his letter to Sir Robert Armstrong of 14 February, it does not deal with the question of evidence on the treatment of sensitive material referred to in the second paragraph of that letter. I understand that Mr Price is writing to Sir Robert shortly on this matter.

A.J. Hastings
Clerk to the Committee

24 MAR 1963





Mr Butler
PARLIAMENT

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

14 March 1983

Dear Hastings,

Thank you for your letter of 3 March, from which I note that your Committee believe that it would be useful for them to take evidence on the machinery of record keeping in the Cabinet Office on exactly the same basis as they have already taken evidence from the Foreign and Commonwealth Office, the DHSS and the Department of Energy.

The Lord President has discussed this with the Secretary of the Cabinet, who has agreed to ask the Principal Establishments and Finance Officer, Mr John Stevens, and the Departmental Records Officer, Mr Dennis Morris, of the Cabinet Office to make themselves available to give oral evidence to the Committee on the machinery of record keeping in the Cabinet Office on this basis.

Yours sincerely

David Heyhoe

D C R HEYHOE
Private Secretary

A J Hastings Esq
Clerk to the Select Committee
on Education, Science and Arts
House of Commons
LONDON SW1A 0AA



NBPM

MR HATFIELD

SELECT COMMITTEE ON EDUCATION, SCIENCE AND ARTS

... The Clerk to the Select Committee has, in the event, written to me in response to the letter that I sent him on 28 February. I enclose a copy of his reply. The Lord President would be happy to discuss this with Sir Robert Armstrong whenever that would be convenient.

I am copying this to Robin Butler (No 10).

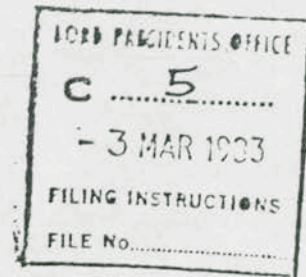
John Hargrave

D C R HEYHOE

4 March 1983



COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA
01-219 6243 (Direct Line)
01-219 3000 (Switchboard)
01-219 5774 (Direct Line)



EDUCATION, SCIENCE AND ARTS COMMITTEE

D.C.R. Hayhoe Esq.
Private Secretary
The Lord President of the Council
House of Commons
London SW1

March 3 1983

Dear Hayhoe

Thank you for your letter of 18th February. I think you already know that at their meeting yesterday the Committee discussed both that letter and Sir Robert Armstrong's letters to me and to the Chairman of the Committee of 3rd and 7th February respectively. You also know that a second meeting took place yesterday between Mr Price and the Lord President at which the issues raised in the letters were discussed.

The Chairman has asked me to emphasise that it is his intention, and that of the Committee, to find an agreed basis upon which a constructive session of public evidence can eventually take place, and that he firmly believes that, in the light of misunderstandings which appear to have arisen through correspondence, an informal meeting between Sir Robert and some members of the Committee would be the most appropriate method of exploring the possibilities for a formal session and defining the matters to be discussed.

In reply to your letter to me of 18th February, the Committee feel that it would be inappropriate at this stage for me to send you a detailed questionnaire. It is not usual for select committees to take evidence in this manner except occasionally as a means of gathering preparatory information for oral evidence or to clarify matters unresolved by such evidence: consequently they would hesitate to extend a procedure which might undermine the traditional method of inquiry by oral questioning.

However, I have been authorised to make it clear that the Committee have no intention whatever of extending the limits of their present inquiry which directly relate to the implementation of the Wilson Committee's Report on the Public Records. Questions would not depart from the subject areas already considered at earlier meetings of the Committee. They do not intend, and they have never intended, to investigate the Cabinet Office or its administration.

Nevertheless they believe it would be useful to take some oral evidence on the machinery of record keeping in the Cabinet Office on exactly the same basis as they have already taken oral evidence from the Foreign Office, the DHSS and the Department of Energy. In view of the emphasis placed by the Wilson Committee on the crucial role of initial selection of papers for preservation by Departments, and the variation in practice between them, the Committee regard this part of their inquiry as essential and this has been understood by other Departments. The Committee have no intention of insisting that any particular official should give evidence on this subject. It would be for the Cabinet Office to decide who is most appropriate.

Yours sincerely,

A handwritten signature in cursive script that reads "A.J. Hastings". The signature is written in dark ink and is positioned above the typed name.

A.J. Hastings
Clerk to the Committee

Palmanut: Select others P+5-

Mr Townley
Sir Robert Armstrong

PARLIAMENTS
PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

28 February 1983

Dear Hastings,

The Lord President has asked me to write to you to follow up the meeting which he had with the Chairman of your Committee and Mr Brinton on 24 February.

It remains his view that it would be inappropriate for the Secretary of the Cabinet to give oral evidence on general questions of record-keeping practice or administration in the Cabinet Office, for the reasons which were set out in his letter of 21 February.

The Lord President noted, however, that Mr Price thought that there might have been some misunderstanding of the Committee's intentions. The Lord President considers that the best way forward would be for you to let me have a note in detail of the questions to which the Committee is seeking answers. That would enable him to consider how far they avoided the difficulties encountered in the earlier approach, and what might be the most appropriate way of proceeding.

Yours sincerely,

David Heyhoe

D C R Heyhoe
Private Secretary

A J Hastings Esq
Clerk to the Select Committee
on Education, Science and the Arts
House of Commons
LONDON SW1A 0AA

7 MAR. 1983





Parment

CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref. A083/0660

25th February 1983

Select Committee on Education, Science and the Arts

I discussed with the Lord President this morning the upshot of his meeting with Mr Christopher Price, MP on 24th February.

I said that as a matter of principle I was very anxious to avoid creating a precedent for evidence to a Select Committee on the administration or "policy" of the Cabinet Office. I thought that the Cabinet Office had advisedly been excluded from the list of Departments specified in the resolution of 25th June 1979. The Cabinet Office was not a Department in that sense: it was really the machinery which serviced the process of collective discussion by the Government and did not deal with any matter of policy which was not the primary responsibility of one of the Departments headed by a Minister. If it became accepted that the Cabinet Office could be summoned to give evidence, there really was no reason why it should not be summoned by any Select Committee, because it was concerned with discussion of policies right across the board. (It was no doubt because the Cabinet Office is not in that sense a policy Department that it was also excluded from the ambit of the Parliamentary Commissioner for Administration.)

Nor was I very happy about the idea of an informal discussion of the kind suggested by Mr Price: it was difficult to see what useful purpose that could serve which avoided getting sucked in.

We discussed at some length how the problem might be dealt with and defused. In the end we agreed that the best course would be for you to write to the Clerk of the Committee on the Lord President's behalf, taking up Mr Price's indication that the intentions had been misunderstood and inviting the Clerk to

/set out in

D C R Heyhoe Esq.

CONFIDENTIAL

set out in detail the questions which the Committee had in mind to ask. We could then consider how far they could be answered without prejudice to the main position, and how best to proceed.

--- I attach a draft letter on these lines, for the Lord President's consideration.

I am sending a copy of this letter and of the draft reply to Robin Butler.

ROBERT ARMSTRONG

CONFIDENTIAL

DRAFT LETTER TO A J HASTINGS ESQ,
Clerk to the Select Committee on Education,
Science and the Arts

The Lord President has asked me to write to you to follow up the meeting which he had with the Chairman of your Committee and Mr Brinton on 24th February.

It remains his view that it would be inappropriate for the Secretary of the Cabinet to give oral evidence on general questions of record-keeping practice or administration in the Cabinet Office, for the reasons which were set out in his letter of 21st February.

The Lord President noted, however, that Mr Price thought that there might have been some misunderstanding of the Committee's intentions. The Lord President considers that the best way forward would be for you to let me have a note in detail of the questions to which the Committee is seeking answers. That would enable him to consider how far they avoided the difficulties encountered in the earlier approach, and what might be the most appropriate way of proceeding.

CONFIDENTIAL

Parliament

NBPM



MR HATFIELD

SELECT COMMITTEE ON EDUCATION, SCIENCE AND
THE ARTS

... I attach a note of the Lord President's meeting this evening with Mr Christopher Price MP. We have arranged for Sir Robert Armstrong to discuss this with the Lord President at 11.30 tomorrow morning.

I am copying this minute to Robin Butler (No 10).

Mr

D C R HEYHOE

24 February 1983

CONFIDENTIAL

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NOTE FOR THE RECORD

Mr Christopher Price MP and Mr Tim Brinton MP came to see the Lord President at 5.30 this evening to discuss the Lord President's letter of 21 February in which Mr Biffen had explained to Mr Price the reasons why he had advised the Secretary of the Cabinet not to comply with the request from the Select Committee on Education, Science and the Arts to give oral evidence to them.

Mr Price said that he hoped the discussion could be informal and off the record. He wanted to explore what the next step for the Committee ought to be. Having observed in passing that, according to his reading of Erskine May (page 635), Select Committees were the sole judges of their own Terms of Reference, he explained the background to the Committee's present inquiry and pointed out that the Committee had already taken oral evidence from officials in a number of Departments. He hoped that the present difficulty in relation to the Committee's interest in Cabinet Office records could be sorted out. He understood that it was open to him to bring witnesses before the Committee through the offices of the Serjeant at Arms; alternatively, the Committee could bring pressure to bear by Peter Hennessy raising the matter in "The Times". However, he would much prefer to deal with the problem differently. What the Committee had in mind was "not a general inquiry into record keeping"; rather the Committee "only wanted to inquire into record keeping in the Cabinet Office in exactly the same sense as they had done in other Departments".

In reply, the Lord President said that his own role in these matters was to some extent that of arbiter. He himself judged, on reading the Resolution of the House dated 25 June 1979, that the Cabinet Office was not covered by any of the Select Committees. He asked whether, in view of Mr Price's remarks, the Committee had tried to demonstrate that there was indeed a misunderstanding about their intentions. Mr Price said that he recalled a sentence in one of the Committee's earlier letters (he could not from memory specify which) that had implied a wish on the Committee's part to have a general inquiry into Cabinet Office record keeping and might

.../...

CONFIDENTIAL

therefore have given rise to a misconception. He would be very happy to have an informal conversation with an appropriate official in the Cabinet Office to see whether such a misunderstanding did exist and, if so, to try and clarify areas on which the Cabinet Office would feel able to give oral evidence to the Committee. In the event of such a discussion Mr Price would expect to be accompanied by the Clerk to the Committee and by a Government member of the Committee.

The Lord President said that he would be willing to explore whether such an informal discussion would be useful. He emphasised that he could commit himself neither to whether such a discussion was possible nor to what its outcome might be. Nevertheless he promised to report back to Mr Price as soon as possible.

DM

DH

24.2.1983

CONFIDENTIAL



10 DOWNING STREET

From the Principal Private Secretary

Sir Robert Armstrong

Select Committee on Education, Science and the Arts

The Prime Minister saw over the weekend your letter of 17 February to David Heyhoe about the request you had received from Mr. Christopher Price, M.P., asking you to give oral evidence to the Select Committee on Education, Science and the Arts, on record keeping in the Cabinet Office.

The Prime Minister took the view that it was right that this request should be turned down, and also that it would be preferable for the Lord President to convey this refusal to Mr. Price.

I am sending a copy of this minute to Mr. Heyhoe.

T. P. BUTLER

21 February, 1983.

CONFIDENTIAL

NR.

CONFIDENTIAL

Mr. Brown



MR HATFIELD

SELECT COMMITTEE ON EDUCATION, SCIENCE AND THE ARTS

The Lord President of the Council has seen Sir Robert Armstrong's letter to me dated 17 February. He agrees that the preferable course would be to write to Mr Price on the lines of draft 2. I therefore attach a copy of the letter which the Lord President has sent to Mr Price this afternoon.

with request if required

I am sending copies of this minute and its attachment to the Private Secretaries to the Home Secretary, the Lord Chancellor and the Foreign and Commonwealth Secretary; and to Robin Butler.

HN

D C R HEYHOE

21 February 1983

CONFIDENTIAL

cc: PS/home Sec.
Lord Chanc.
FCO
Robin Butler
Mr Townley
Sir Robert Armstrong



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

21 February 1983

Dear Christopher,

The Secretary of the Cabinet has consulted me about your request to him, in your letter of 14 February, to give oral evidence to the Select Committee on Education, Science and the Arts on the record keeping of the Cabinet Office.

I note that in his letters of 3 and 7 February he has dealt with the specific points raised with him in the Clerk's letter of 7 December and, in response to your letter of 2 February, has explained the system of selection for records for release (or extended closure) which is operated in the Cabinet Office. What you now appear to have in mind, however, would seem to be a more general inquiry into record keeping in the Cabinet Office. The Secretary of the Cabinet has represented to me that your Committee's terms of reference do not extend to the practice or administration of the Cabinet Office, and that it would accordingly be inappropriate for him, or any member of his staff, to give evidence to your Committee on this matter as proposed.

I am bound to say that I see great force in these representations. I have therefore advised the Secretary of the Cabinet that he ought not to comply with your request to give oral evidence to the Committee.

*Yours
John*

JOHN BIFFEN

Christopher Price Esq MP
House of Commons
London SW1A 0AA

Parliament,
Select Committee,
P75

21 FEB 1983





QUEEN ANNE'S GATE LONDON SW1H 9AT

16 February 1983

Dear John

Thank you for your letter of 10 February about the possibility that the Home Affairs Committee might wish to undertake an inquiry into the Parliamentary accountability of the Security Services and their organisation.

In response to this suggestion I must start from the position that I explained to the Committee in December 1979, to which you refer in your letter, that the Government stands by the long established convention that detailed information concerning matters of security and intelligence is not disclosed to Parliament.

The basis of this convention is that information about the functions, activities and organisation of agencies working in this field needs to be protected and kept secret if their effectiveness is to be maintained.

It is for this reason that, as the then Parliamentary Under-Secretary of State, Home Office, said in the House of Commons on 28 July 1977, the tradition in this country is that the services in question are responsible to Ministers, and Parliament accepts that the accountability must be to Ministers rather than to Parliament, and trusts Ministers to discharge that responsibility faithfully. The Prime Minister made clear in the House as recently as 11 November last her belief that the present arrangements are most appropriate, and that, if we went further, we should undermine the effectiveness of the services with all the damage to the interests of this country which that would entail.

In your letter you say that the primary wish is to scrutinise the actual machinery by which the services are organised. I am afraid that these are matters on which neither I nor my officials would be able to answer the Committee's questions without disclosing secret information which ought not to be disclosed. Indeed, I do not believe that matters affecting the Security Services can be divided in such a way as to make it possible for the Home Affairs Committee - or any other Select Committee - to undertake an inquiry without having access to information which must be kept secret and which the Government would not, therefore, think it right to disclose to a Select Committee. It follows that security and intelligence, and the role, functions, organisation and activities of the bodies concerned with security and intelligence, are not in the view of the Government appropriate subjects for inquiry by the Home Affairs Committee or any other Select Committee, and why Select Committees have been right to refrain, as the Liaison Committee in paragraph 25 of its recent report said, from inquiries in this field.

What may have been done in other countries with different historical traditions and constitutional arrangements is not a reliable guide in matters of this sort.

If the Committee were to decide to pursue the idea of undertaking the sort of inquiry indicated in your letter, they could not expect any but the most generalised response from me or from officials; indeed, we could say little if any more than I have said in this letter. I am sure that you would agree that this would be an unsatisfactory situation for all concerned. In these circumstances I hope that the Committee will be able to find some other subject for its next inquiry.

All of us who have responsibility for these services feel, as our predecessors in office have felt, that we must protect their ability to operate without fear of exposure, even when disclosure is sought with the best of intentions, because their effectiveness in the national interest depends upon it.

Yours truly

Wilkie

Parkment,
Select Comm,
p+5

FEB 1988

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5 6 7 8 9



CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref. A083/0586

17 February 1983

Dear David,

I am afraid that I have to trouble the Lord President about a letter which I have received from Mr Christopher Price MP, asking me to give oral evidence to the Select Committee on Education, Science and the Arts on record keeping in the Cabinet Office.

The Select Committee is conducting an inquiry into access by academics to records in the Public Record Office (PRO) in the light of the Wilson Report, Cmnd 8204, and the Government's reply, Cmnd 8531. In pursuance of this inquiry the Clerk to the Committee wrote to me on 7 December 1982 to enquire what plans the Cabinet Office had for the release of papers of the Secret Service Committee of the Cabinet of 1919-1921. I replied on 3 February 1983 that these papers were withheld from the PRO under an approval given by the then Lord Chancellor in 1967. I also commented on a matter relating to certain intercepted German communications of the Second World War which had been raised by the Committee with witnesses from the Foreign and Commonwealth Office and the Lord Chancellor's Department, and on which the Committee had asked those witnesses to consult me.

On 2 February Mr Price himself wrote to me, before he had seen my letter of 3 February to the Clerk. He asked me to give oral evidence to the Committee on some of the questions that had already been the subject of correspondence (which I had dealt with in my letter of 3 February), and on Cabinet Office record keeping and the extent to which the Cabinet Office feels compelled to keep papers out of the PRO beyond the 30 year norm. I replied on 7 February in a letter in which I dealt with the second group of points raised in Mr Price's letter of 2 February, and indicated that I should have nothing further to say in oral evidence. Mr Price's letter of 14 February is the response to that.

Mr Price also wrote to the Foreign and Commonwealth Secretary and to the Lord Chancellor; the Lord President has had a copy of the Foreign and Commonwealth Secretary's minute (PM/83/15) of 14 February to the Prime Minister on this, and of the Lord Chancellor's letter of 16 February to the Foreign and Commonwealth Secretary on the same subject. The Lord President will have seen that the Foreign and Commonwealth Secretary proposes to reply that neither he nor his Permanent Under Secretary of State will give oral evidence to the Committee.

/ I think

D C R Heyhoe Esq

I think that, in response to the request which I have received, I have a choice between three possible courses of action:

- (i) to comply with the request;
- (ii) not myself to give oral evidence, but to send my Principal Establishment Officer to do so;
- (iii) to refuse to give evidence myself, or to ask any member of my staff to do so, on the ground that, while it was not necessary to take issue on the Committee's right to inquire into the policy followed on the release of Cabinet Office records to the PRO, the Cabinet Office as such was excluded from the list of Departments covered by Select Committees, and record keeping in the Cabinet Office is none of the business of the Select Committee on Education, Science and the Arts.

Mr Price is known to be working to extend the scope of Select Committees in general and of his own in particular. It seems to me as if he is trying it on in a number of directions in this instance. I suspect that he may be being moved thereto by people who are, I believe, acting as official or unofficial advisers to the Committee: Mr Christopher Andrew, who is anxious to expose the security and intelligence services to outside inquiry, and Mr Peter Hennessy, who has a declared mission to break down what he sees as the secrecy surrounding the Cabinet Office, and is on record as regretting that there is no Select Committee which has the responsibility of inquiring into the Cabinet Office.

When the Select Committees were set up, the Cabinet Office was deliberately excluded from the Departments covered by them. The Cabinet Office is not therefore open to scrutiny by any Select Committee, though I have twice given evidence to Sub-Committees of the Committee on the Treasury and the Civil Service, once on the way in which the machinery of the centre of government is organised, and the other time as Permanent Secretary of the Management and Personnel Office to the Sub-Committee on Efficiency and Effectiveness in Government.

This general questioning on record keeping in the Cabinet Office is beyond the remit of the Select Committee on Education, Science and the Arts. I am anxious to avoid if at all possible setting a precedent for the Secretary of the Cabinet or any member of his staff giving evidence to a Select Committee about administrative arrangements in the Cabinet Office, given that the Cabinet Office was as a matter of policy excluded from the list of Departments covered by Select Committees. I should therefore like not to have to comply with the request that has been sent to me.

--- If the Lord President agrees with this, I could myself write
to Mr Price a letter on the lines of draft 1 attached. But I believe
that it might be desirable to demonstrate to Mr Price that my refusal
to comply with his request had high Ministerial authority and that
it might therefore be preferable for the Lord President (if he
--- would) himself write on the lines of draft 2 attached.

/ I am

CONFIDENTIAL

I am sending copies of this letter and the drafts to the Private Secretaries to the Home Secretary, the Lord Chancellor and the Foreign and Commonwealth Secretary; and to Robin Butler.

ROBERT ARMSTRONG

CONFIDENTIAL

DRAFT LETTER FROM SIR ROBERT ARMSTRONG TO
CHRISTOPHER PRICE ESQ MP, House of Commons

Thank you for your letter of 14 February, asking me to come and give oral evidence to the Select Committee on Education, Science and the Arts on the record keeping of the Cabinet Office.

In my letters of 3 and 7 February I sought to deal with the specific points raised with me in the Clerk's letter of 7 December and explained, in response to your letter of 2 February, the system of selection of records for release (or extended closure) which is operated in the Cabinet Office. I did not at that stage seek to call in question the Committee's locus in relation to the Cabinet Office. Your latest letter suggests, however, a more general inquiry into record keeping in the Cabinet Office. I have considered this matter very carefully, and I have to say that I cannot see that the Committee's purview can be regarded as extending to an investigation into the practice or the administration of the Cabinet Office, which is not a Department covered by the Committee's remit.

I am afraid therefore that I have to say that I believe that it would be inappropriate for me to give evidence to your Committee, and that I do not feel able to comply with your request.

DRAFT LETTER FROM THE LORD PRESIDENT OF THE COUNCIL TO
CHRISTOPHER PRICE ESQ MP, House of Commons

The Secretary of the Cabinet has consulted me about your request to him, in your letter of 14 February, to give oral evidence to the Select Committee on Education, Science and the Arts on the record keeping of the Cabinet Office.

I note that in his letters of 3 and 7 February he has dealt with the specific points raised with him in the Clerk's letter of 7 December and, in response to your letter of 2 February, has explained the system of selection for records for release (or extended closure) which is operated in the Cabinet Office. What you now appear to have in mind, however, would seem to be a more general inquiry into record keeping in the Cabinet Office. The Secretary of the Cabinet has represented to me that your Committee's terms of reference do not extend to the practice or administration of the Cabinet Office, and that it would accordingly be inappropriate for him, or any member of his staff, to give evidence to your Committee on this matter as proposed.

I am bound to say that I see great force in these representations. I have therefore advised the Secretary of the Cabinet that he ought not to comply with your request to give oral evidence to the Committee.



QUEEN ANNE'S GATE LONDON SW1H 9AT

16 February 1983

Dear John

Thank you for your letter of 10 February about the possibility that the Home Affairs Committee might wish to undertake an inquiry into the Parliamentary accountability of the Security Services and their organisation.

In response to this suggestion I must start from the position that I explained to the Committee in December 1979, to which you refer in your letter, that the Government stands by the long established convention that detailed information concerning matters of security and intelligence is not disclosed to Parliament.

The basis of this convention is that information about the functions, activities and organisation of agencies working in this field needs to be protected and kept secret if their effectiveness is to be maintained.

It is for this reason that, as the then Parliamentary Under-Secretary of State, Home Office, said in the House of Commons on 28 July 1977, the tradition in this country is that the services in question are responsible to Ministers, and Parliament accepts that the accountability must be to Ministers rather than to Parliament, and trusts Ministers to discharge that responsibility faithfully. The Prime Minister made clear in the House as recently as 11 November last her belief that the present arrangements are most appropriate, and that, if we went further, we should undermine the effectiveness of the services with all the damage to the interests of this country which that would entail.

In your letter you say that the primary wish is to scrutinise the actual machinery by which the services are organised. I am afraid that these are matters on which neither I nor my officials would be able to answer the Committee's questions without disclosing secret information which ought not to be disclosed. Indeed, I do not believe that matters affecting the Security Services can be divided in such a way as to make it possible for the Home Affairs Committee - or any other Select Committee - to undertake an inquiry without having access to information which must be kept secret and which the Government would not, therefore, think it right to disclose to a Select Committee. It follows that security and intelligence, and the role, functions, organisation and activities of the bodies concerned with security and intelligence, are not in the view of the Government appropriate subjects for inquiry by the Home Affairs Committee or any other Select Committee, and why Select Committees have been right to refrain, as the Liaison Committee in paragraph 25 of its recent report said, from inquiries in this field.

What may have been done in other countries with different historical traditions and constitutional arrangements is not a reliable guide in matters of this sort.

If the Committee were to decide to pursue the idea of undertaking the sort of inquiry indicated in your letter, they could not expect any but the most generalised response from me or from officials; indeed, we could say little if any more than I have said in this letter. I am sure that you would agree that this would be an unsatisfactory situation for all concerned. In these circumstances I hope that the Committee will be able to find some other subject for its next inquiry.

All of us who have responsibility for these services feel, as our predecessors in office have felt, that we must protect their ability to operate without fear of exposure, even when disclosure is sought with the best of intentions, because their effectiveness in the national interest depends upon it.

Yours
as ever

Wilke



17 FEB 1988





10 DOWNING STREET

Letter attached

C.F.

Pl. ask Home Secretary's
office for a copy of the
final version of the
Home Secretary's letter to
Sir John Eden. These
papers can then be
filed or destroyed. (Keep
the draft with the PM's
comments on it)

FRB



From the Secretary of the Cabinet

Mr Butler

Letter to Sir John
Eder:

I attach a copy
of the draft letter
attached to my letter
of 15 February to Sir
Brian Lubbock, showing
the amendments I
have agreed with
Sir B. Lubbock.

RA 15. ii

DRAFT LETTER FROM THE HOME SECRETARY TO
THE RT HON SIR JOHN EDEN, BT, MP

Thank you for your letter of 10th February about the possibility that the Home Affairs Committee might wish to undertake an inquiry into the parliamentary accountability of the Security Services and their organisation.

In response to this suggestion I must start from the position that I explained to the Committee in December 1979, to which you refer in your letter, that the Government stands by the long-established convention that detailed information concerning matters of security and intelligence is not disclosed to Parliament.

The basis of this convention is ~~(of course the general acceptance)~~ that information about the functions, activities and organisation of agencies working in this field needs to be protected and kept secret if their effectiveness is to be maintained.

It is for this reason that, as the then Parliamentary Under Secretary of State, Home Office, said in the House of Commons on 28th July 1977, the tradition in this country is that the services in question are ~~accountable~~ ^{responsible} to Ministers, and Parliament accepts that the accountability must be to Ministers rather than to Parliament, and

trusts Ministers to discharge that responsibility faithfully. The present Prime Minister made clear in the House as recently as 11th November last her belief that the present arrangements are most appropriate, and that, if we went further, we should undermine the efficiency of the services in question.

In your letter you say that the primary wish ^{is for} of Parliament ^{is} - and therefore presumably ~~the primary purpose of any inquiry which the Committee might undertake would be~~ to scrutinize the actual machinery by which the services are organised. I am afraid that these are matters on which neither I nor my officials would be able to answer the Committee's questions without disclosing secret information which ought not to be disclosed to the Committee. Indeed I do not believe that matters affecting the Security Services can be divided in such a way as to make it possible for the Home Affairs Committee - or any other Select Committee - to undertake a meaningful inquiry without having access to information which in the Government's view must be kept secret and which it would not therefore think it right to disclose to a Select Committee. It follows that security and intelligence, and the role, functions, organisation and activities of the bodies concerned with security and intelligence, are not in the view of the Government appropriate

subjects for inquiry by the Home Affairs Committee or any other Select Committee, and why Select Committees have been right to refrain, as the Liaison Committee in paragraph 25 of its recent report said, from inquiries in this field.

If the Committee were to decide to pursue the idea of undertaking the sort of inquiry indicated in your letter, they could not expect any but the most generalised response from me or from officials; indeed, we could say little if any more than I have said in this letter. I am sure that you would agree that this would be an unsatisfactory situation for all concerned. In these circumstances I hope that the Committee will be able to find some other subject for its next inquiry.

As you know, there will be an opportunity for a general debate on security matters when the House considers the report of the Security Commission on the Prime case. This will, I suggest, provide a suitable opportunity and forum for members of the Home Affairs Committee to ask the question of parliamentary accountability, if they wish to do so.

What may have been done in other countries under different historical conditions and constitutional arrangements is not a reliable guide in matters of this sort.



Ames

CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref. A083/0546

15th February 1983

We had a word this morning about the letter which the Home Secretary has received from Sir John Eden, seeking the Home Secretary's view of a possible move by the Home Affairs Committee to undertake an inquiry into the parliamentary accountability of the Security Services and their organisation. The Home Secretary's Private Secretary wrote to Robin Butler yesterday with a copy of the letter and with the draft reply which the Home Secretary was proposing to send to Sir John Eden. I had suggested that the reply should wait until we had had time to consider this approach in relation to paragraph 25 of the recent report by the Liaison Committee and in relation to the approaches made by the Chairman of the Select Committee on Education, Science and the Arts to the Foreign and Commonwealth Secretary and to me about the withholding of security and intelligence related records from release to the Public Record Office. You told me that the Home Secretary thought that it was important that Sir John Eden should receive a reply before the next meeting of the Home Affairs Committee on the morning of Wednesday 16th February, and wanted to be in a position to send such a reply this evening.

With that in mind, I have considered the draft circulated with the Home Secretary's Private Secretary's letter yesterday. I agree with its general tenor; but I wonder whether it could be strengthened by certain omissions and one or two additions. I have attempted a re-draft on the lines I have in mind, and I attach a copy herewith.

I am sending a copy of this letter and the revised draft to Antony Acland; and I am also sending copies to Robin Butler and Brian Fall, in view of the shortage of time.

ROBERT ARMSTRONG

Sir Brian Cubbon, KCB

DRAFT LETTER FROM THE HOME SECRETARY TO
THE RT HON SIR JOHN EDEN, BT, MP

Thank you for your letter of 10th February about the possibility that the Home Affairs Committee might wish to undertake an inquiry into the parliamentary accountability of the Security Services and their organisation.

In response to this suggestion I must start from the position that I explained to the Committee in December 1979, to which you refer in your letter, that the Government stands by the long-established convention that detailed information concerning matters of security and intelligence is not disclosed to Parliament.

The basis of this convention is ~~of course the general acceptance~~ that information about the functions, activities and organisation of agencies working in this field needs to be protected and kept secret if their effectiveness is to be maintained.

It is for this reason that, as the then Parliamentary Under Secretary of State, Home Office, said in the House of Commons on 28th July 1977, the tradition in this country is that the services in question are ~~accountable~~^{responsible} to Ministers, and Parliament accepts that the accountability must be to Ministers rather than to Parliament, and

trusts Ministers to discharge that responsibility faithfully. The ~~present~~ Prime Minister made clear in the House as recently as 11th November last her belief that the present arrangements are most appropriate, and that, if we went further, we should undermine the ^{effectiveness} efficiency of the services ^{with} ~~in question~~ ^{all the damage to the interests of this country which that would entail.}

damage -

In your letter you say that the primary wish of Parliament is ~~and therefore presumably the primary purpose of any inquiry which the Committee might undertake would be~~ to scrutinize the actual machinery by which the services are organised. I am afraid that these are matters on which neither I nor my officials would be able to answer the Committee's questions without disclosing secret information which ought not to be disclosed ~~(to the Committee)~~. Indeed I do not believe that matters affecting the Security Services can be divided in such a way as to make it possible for the Home Affairs Committee - or any other Select Committee - to undertake ^{an} ~~a meaningful~~ inquiry without having access to information which ~~(in the Government's view)~~ ^{the Govt.} must be kept secret and which ~~it~~ would not therefore think it right to disclose to a Select Committee. It follows that security and intelligence, and the role, functions, organisation and activities of the bodies concerned with security and intelligence, are not in the view of the Government appropriate

subjects for inquiry by the Home Affairs Committee or any other Select Committee, and why Select Committees have been right to refrain, as the Liaison Committee in paragraph 25 of its recent report said, from inquiries in this field.

What may have been done in other countries with different historical traditions and constitutional arrangements is not a reliable guide in matters of this sort.

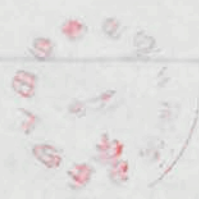
If the Committee were to decide to pursue the idea of undertaking the sort of inquiry indicated in your letter, they could not expect any but the most generalised response from me or from officials; indeed, we could say little if any more than I have said in this letter. I am sure that you would agree that this would be an unsatisfactory situation for all concerned. In these circumstances I hope that the Committee will be able to find some other subject for its next inquiry.

[As you know, there will be an opportunity for a general debate on security matters when the House considers the report of the Security Commission on the Prime case. This will, I suggest, provide a suitable opportunity and forum for members of the Home Affairs Committee to ask the question of parliamentary accountability, if they wish to do so.]

○ Personal Journal

All of us who have responsibility for ~~Successive Ministers~~
~~All of us who have been in charge~~
of these services ^{feel} ~~have~~ felt strongly, ^{as our predecessors have done,} that their secrecy of ~~these services~~ ^s must be protected: if ~~they are not~~ ^{it is ended,} great and lasting damage will be done.

15 OCT 1957



Handwritten notes in the top right corner, partially obscured and difficult to read.

for those services

All of us who have responsibility feel,
 as our predecessors in office have felt, that
 we ~~owe it to them and to the country~~ ^{we must} to protect their
 ability to operate without fear of exposure ~~or of~~ ^{even when}
 disclosure ^{is sought} ~~even~~ with the best of intentions, because their
 effectiveness ^{in the national interest} depends upon it.

[

Handwritten notes at the bottom of the page, including a large bracket and some illegible text.

14 February 1983

ATTORNEY-GENERAL

Historic Documents

43. Mr. Christopher Price asked the Attorney-General what is the Lord Chancellor's policy in considering applications by Ministers to withhold historical documents beyond the 30-year period.

The Attorney-General (Sir Michael Havers:) The Lord Chancellor considers applications on their merits in the light of the provisions of section 3(4) of the Public Records Act 1958 and in the light of the policy laid down by section 5 regarding closure after transfer. In considering applications under section 5 of the Act, the Lord Chancellor has regard to these provisions and the criteria set out in paragraph 26 of the White Paper "Modern Public Records".

Mr. Price: May we know more about the criteria? What possible sense is there in relating all the Foreign Office intercepts that took place during the second world war while refusing to release those that took place between the first and second world wars, with the exception of those that Lloyd George took away and placed in the House of Lords Library? Is it not reasonable to assume that the years between 1919 and 1939 are now history?

The Attorney-General: I understand the hon. Gentleman's great interest in this matter. The matter has

been considered with great care, especially with regard to second world war intercepts. The arguments for exempting security and intelligence-related records from public release have less weight in relation to records of interceptions of messages transmitted by the services of a country with which the United Kingdom was then at war.

Mr. Newens: Is there any truth in reports that public records dealing with the British Union of Fascists are likely to be withheld for the full 100 years? Bearing in mind that attempts were made a few years ago to withdraw certain Metropolitan police records relating to the hunger marches of 1933 and 1934, which were later countermanded, is there not a case for great vigilance in these matters to ensure that too many exceptions to the 30-year rule are not allowed?

The Attorney-General: This is very carefully supervised. The matter raised by the hon. Gentleman falls within the responsibilities of the Lord Chancellor, but I will certainly write to the hon. Gentleman about it.

From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

14 February 1983

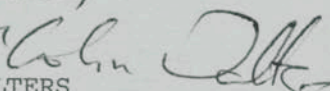
Dear Robin

..... I attach a copy of a letter which the Home Secretary has received from Sir John Eden in his capacity as Chairman of the Select Committee on Home Affairs, seeking the Home Secretary's view on a possible move by the Home Affairs Committee to conduct an inquiry into the Security Services.

..... I also attach a draft reply which the Home Secretary proposes to send to Sir John. Sir John has asked to have the reply in time for him to report to the next meeting of the Committee on Wednesday morning, 16 February. I should therefore be grateful to know whether you have any comments on the draft by close of play tomorrow (Tuesday).

I am sending copies of this letter to Brian Fall (Foreign Office) and to Richard Hatfield (Cabinet Office), and would also be grateful to know whether they have any comments on the draft by tomorrow evening.

I am also sending a copy to David Hayhoe (Lord President's Office)

Yours sincerely 

C. J. WALTERS

Robin Butler, Esq.

DRAFT LETTER

ADDRESSEE'S REFERENCE

TO	ENCLOSURES	COPIES TO BE SENT TO
<p>The Rt. Hon. Sir John Eden, BT., MP.</p> <p>House of Commons</p> <p>LONDON, S.W.1.</p>		
(FULL POSTAL ADDRESS)		(FULL ADDRESSES, IF NECESSARY)

LETTER DRAFTED FOR SIGNATURE BYHOME SECRETARY.....
(NAME OF SIGNATORY)

Thank you for your letter of 10 February about the possibility that the Home Affairs Committee might wish to undertake an enquiry into the Parliamentary accountability of the Security Services and their organisation. You made clear that the Committee were looking for a way to enable Parliament to scrutinise the machinery by which those services are organised, and were not aiming to investigate particular cases or examine working methods.

In responding to this suggestion I must start from the position that I explained to the Committee in December 1979, to which you refer in your letter, namely that the present Government stands by the long established convention that detailed information concerning matters of security is not disclosed to Parliament. I recognise that there have been some recent steps towards greater openness on these matters; for example the enquiry into vetting procedures undertaken by the Select Committee on Defence. But this does not alter the general principle that security work is by its nature secret and cannot be publicly discussed.

I am afraid that I could not agree to co-operate in the kind of investigation you outline in your letter. I appreciate that you have tried to confine its scope; but in practice I do not believe that matters affecting the security services can be divided in such a way as to make it possible for the Home Affairs Committee to undertake a meaningful enquiry without having access to information which in the Government's view must be kept secret in the national interest. I fear that I am unable to suggest any aspect of this subject on which the Government would be able to answer detailed questions without disclosing secret information, and which would therefore be appropriate for an inquiry by the Committee. What may have been done in other countries with different historical and constitutional traditions is not, I think, a reliable guide in a matter of this sort.

If the Committee were to decide to pursue the idea of undertaking an inquiry into this area, it would not be right for them to expect any but the most generalised response from me or my officials. I am sure you would agree that this would be unsatisfactory and unwelcome to all those concerned, but I see no alternative. In the last resort, this is a position which the Government would be prepared to defend in the House. In these circumstances I hope that the Committee will be able to find some other subject for its next Inquiry.

I am sorry not to be able to be more positive. As you know, there will be an opportunity for general debate on security matters when the House considers the report of the Security Commission on the Prime case. This would seem to be the appropriate forum in which to pursue the question of Parliamentary accountability if members of the Home Affairs Committee so wish.



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CABINET OFFICE
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15 FEB 1983
FLILING INSTRUCTIONS
FILE No. _____

~~cc - Mr Stevens
Mrs Forbes~~

EDUCATION, SCIENCE AND ARTS COMMITTEE

14 February 1983

Sir Robert Armstrong KCB CVO
Secretary of the Cabinet
70 Whitehall
London SW1A 2AS

~~cc - Mr Balstrode .~~

Dear Sir Robert

Thank you very much for your detailed letter of 7 February in reply to mine of 2 February. I have carefully considered the contents of both this letter and the letter which you sent on 3 February to the Clerk to the Committee.

I note your opinion that you do not feel that you can add anything in oral evidence to the information which the letters contain. I think you are being a little pessimistic, but even so, I feel sure that the Committee may well find it valuable to ensure, by way of question and answer that they fully understand Cabinet Office practice in relation to sensitive material. I am therefore writing to you with the authority of the Committee to ask you to give oral evidence before them at an early opportunity. I have asked the Clerk to contact your office to arrange a mutually convenient date.

The Committee would not propose to confine themselves wholly to questions on sensitive material. We would like to look a little more closely at the record keeping of the Cabinet Office.

Yours sincerely

CP

Christopher Price MP
Chairman



HOUSE OF COMMONS

LONDON SW1A 0AA

10th February, 1983.

Dear Willie,

At their discussion yesterday, the Home Affairs Committee considered possible subjects for their next Inquiry. These included an enquiry into the Parliamentary accountability of the security services, their organisation and the opportunities for subjecting them to a similar degree of Parliamentary scrutiny as is done in, for example, the U.S.A. and Germany.

It was made clear that there is no desire to investigate particular security cases, or to examine the working of the security services. The primary wish is for Parliament to scrutinize the actual machinery by which the services are organised. In putting this forward members were mindful of the fact that in December 1979, when appearing before the Committee, you had expressly reserved to yourself as Secretary of State the final decision as to how much, if anything, you could disclose about the services without putting at risk the national interest. You reminded the Committee that this had been the position in all previous Governments.

I am now writing to enquire whether in the light of recent events, you have reconsidered the position, and whether you have any comments to make on the growing demand for greater Parliamentary scrutiny and accountability of the services? In this connection, you will be familiar with the observations contained in the recent report of the Liaison Committee.

I should add that the Committee were not unanimous in expressing an interest in this subject as a possible area for enquiry, but we would all appreciate as full an analysis as you can give of the sort of difficulties we might encounter were we to decide to embark upon it.

Yours ever,

R. Whitelaw
p.p. Sir John Eden

Dictated by Sir John and
signed in his absence.

The Rt. Hon. William Whitelaw, CH., MC., DL., MP.



CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

SECRET OFFICE
From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref: A083/0435

9 FEB 1983

7th February 1983

FILING INSTRUCTIONS

FILE No. _____

Thank you for your letter of 2nd February 1983.

It was of course sent before you had had an opportunity of seeing my letter of 3rd February, to Mr. Hastings, Clerk of the Committee, in which I responded to the question in his letter of 7th December 1982 about the release to the Public Record Office of the papers of the Secret Service Committee of the Cabinet which met from 1919 to 1921, and also sought to deal with questions about certain security and intelligence related records from the Second World War raised by the Committee when it was taking evidence from officials of the Foreign and Commonwealth Office and the Lord Chancellor's Department on 24th January.

In your letter of 2nd February you also raise questions about Cabinet Office record-keeping. The Cabinet Office approaches this matter in the same way and works to the same criteria as other Departments. A two-tier system of selection is operated as recommended by 'Grigg'; the system of control is thorough and comprehensive. The final decision about preservation, release or extended closure rests on an individual examination of files. The reviewers are provided with advice about what should be preserved and with broad guidelines particularly on national security and international and diplomatic sensitivity. Sensitive records are referred first to the responsible Department and then, by the Departmental Records Officer through the Departmental Records Adviser to the Secretary of the Cabinet. The approach adopted at all levels of consideration is that records which are selected for preservation should be released to the Public Record Office, except when they fall into the specific category to which the Lord Chancellor's exemption applies as described in my letter of 3rd February; or when their retention is otherwise necessary and approved under Section 3(4) of the Public Records Act. Where records are transferred to the Public Record Office but remain closed under Section 5(1) of the Act, strict attention is paid to ensuring that the application for extended closure clearly falls within the definitions approved by the Lord Chancellor (see the report of the Wilson Committee, page 54, paragraph 178). To illustrate the effects of all this, in the last 5 years 99 per cent of Cabinet memoranda and minutes coming due for release under the 30 year rule have been released to the Public Record Office at the normal 30 year point.

/You may

Christopher Price, Esq., MP

You may consider that what I have been able to tell you in this letter and my letter of 3rd February to the Clerk makes it unnecessary for the Committee to seek further oral evidence on these questions. I doubt indeed whether, if I were to give oral evidence, I should have much if anything that I could add to what is already covered in my letters. None the less, if there are any further questions which the Committee would like me to try to answer, no doubt you or the Clerk will let me know, and I will be ready to see what further information I can give.

ROBERT ARMSTRONG



CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

CABINET OFFICE

From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

A

Ref: A08370382

FILING INSTRUCTIONS

FILE No.

3rd February 1983

You wrote to me on 7th December 1982 to inquire what plans the Cabinet Office has for the release to the Public Record Office of the papers of the Secret Service Committee of the Cabinet which met under the chairmanship of the then Foreign and Commonwealth Secretary from 1919 to 1921.

I am very sorry that, because your letter went temporarily astray in the Cabinet Office, you have had to wait until now for a reply. But the delay at least enables me to deal with points raised by the Committee in taking evidence from Miss Blayney of the Foreign and Commonwealth Office and Mr. Dempster of the Lord Chancellor's Department on 24th January, on which the Committee asked Mr. Dempster to consult me.

In 1967 the then Lord Chancellor, by virtue of the powers in Section 3(4) of the Public Records Act 1958, as amended in 1967, approved the retention by Departments of security and intelligence related records over 30 years old. The records to which you refer in your letter, and which were the subject of the exchanges with Miss Blayney and Mr. Dempster on 24th January, have been withheld from release to the Public Record Office under that approval. The terms of that approval provided that it should be reviewed in 1992. As the Committee knows, however, new approvals are to be sought from the Lord Chancellor to bring the existing approvals into line with the system of batches described in the White Paper on Modern Public Records (paragraphs 29 and 30).

The Lord Chancellor's approval for exemption was sought and given on grounds of national security. It was thus in accordance with the accepted practice that information about the activities of the security and intelligence agencies is not made publicly available.

On 5th February 1979, in a Written Answer by Mr. Evan Luard to Mr. Jeffrey Rooker, the House of Commons was told that records over thirty years old would no longer be withheld from the Public Record Office merely because they revealed the existence of certain security or intelligence organisations.

/As I

A.J. Hastings, Esq

As I understand the Committee noted when it was taking evidence from Miss Blayney and Mr. Dempster, records of the intelligence directorates of the three armed services which include material derived from certain enemy military communications intercepted during the Second World War have been deposited in the Public Record Office, notwithstanding the Lord Chancellor's approval for exemption. The arguments for exempting security and intelligence related records from public release have less weight in relation to records of interceptions of messages transmitted by the services of a country with whom the United Kingdom was at the time at war. Such records have not therefore been withheld merely because they are intelligence related records; where they have been withheld, it has been on account of some other consideration of national security. The exemption has continued to apply to all peacetime security and intelligence related records.

Copies of some of the papers of the Secret Service Committee of 1919-1921 were included in papers which Mr. Lloyd George took away with him when he ceased to be Prime Minister, and are now, as the Committee has noted, available in the Lloyd George papers in the House of Lords Record Office. The papers in question were classified papers of a kind which a Minister would not now be permitted to retain on leaving office. The papers of the Committee in question are papers to which the Lord Chancellor's approval for exemption applies, and they have not been released to the Public Record Office by the Government.

As your Committee will have seen from the report of the Wilson Committee, I was able to tell that Committee that, although the records of the security and intelligence services were papers to which the Lord Chancellor's approval for exemption applied, no decision had been taken that they could never be released, and that records of those services were being carefully selected for permanent preservation in accordance with the principles laid down by the Grigg Committee, and were being kept in such a way as to ensure that they would be available and in a suitable condition for transfer to the Public Record Office if and when a decision was taken that they should be transferred.

25. One Government activity which already falls within the ambit of the departmental select committees is the work of the security services, and the question of their accountability to Parliament arises from time to time. The arguments against a wide parliamentary discussion of these matters are well known, and have led the committees concerned to refrain from inquiries in this field. On the other hand expenditure of public monies on a large scale should not go wholly unexamined, especially when an examination could be a spur to efficiency. Nor should it be overlooked that the security services, who are frequently criticised in the House, have not in the past had any parliamentary opportunity of putting the record straight. With such a strong case on each side of the question, one thing is clear: the House, having given to the committees a wide and unambiguous duty of overseeing all the functions of the departments, has at present left them in each case to decide for themselves where the balance of the argument lies, and so whether or not to inquire into these matters.



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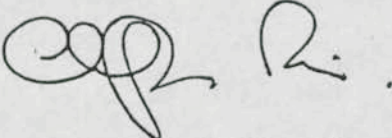
EDUCATION, SCIENCE AND ARTS COMMITTEE

2 February 1983

Sir Robert Armstrong KCB CVO
Secretary to the Cabinet
10 Downing Street
LONDON
SW1

Dear Sir Robert

The Committee have discussed the further progress of their inquiry into the public records. As you may know, we took evidence at an early stage in our inquiry from Lord Trend. To complete our evidence we would be grateful if you would make yourself available for a brief session of oral evidence at some mutually convenient time in the near future. We would wish to raise with you some of the questions on sensitive papers which have already been the subject of correspondence, but the Committee's questions would go wider, into Cabinet Office record keeping and into the extent to which it feels compelled to keep papers beyond the 30 year norm.

Yours sincerely,


CHRISTOPHER PRICE MP
Chairman of the Committee

Mr Murray PSD
(Mr & Mrs others
attended)
AS 21/1

~~PS~~
Advice please in
consultation with PSD
✓ PS
PS/PS
Sir J. Bullard
N. Wright
Lord N. G. ...
Lennon
PSD

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EDUCATION, SCIENCE AND ARTS COMMITTEE

Rt. Hon. Francis Pym, MC, MP
Secretary of State
Foreign and Commonwealth Office
Downing St
London SW1

Jan 28/1
+ Mrs Blaney (LRD)

28 January 1983

Dear Francis

Evidence given before the Committee on 24 January for Inquiry into Public Records

As you may be aware, the Committee asked several questions of Miss Blaney, the Head of the Library and Records Department at the Foreign Office concerning telegram intercepts of the inter-war period. The Committee were rather surprised when Miss Blaney said that she could not answer those questions and did not have any knowledge about such material or who in the Foreign Office would know. We found her answers particularly surprising since my Clerk wrote to an official, Mr Butler, at PCCU about this matter on 2 December of last year. We are minded to call Sir Anthony Acland before us to pursue the matter, which we feel is of great importance, but in the meantime I felt that it would be very useful to submit a few questions directly to you:

1. Why are the so-called 'Ultra-intelligence' Second World War intercepted German messages available in the Public Records Office while similar intercepts for the inter-war period are not? There are references to these inter-war documents in the early chapters of the government published book by F.H. Hinsley and others, 'British Intelligence in the Second World War', Volume I.
2. If the publication of inter-war papers mentioned above poses a risk to national security, why were the later war papers thought not to do so?

cont/...

3. The Foreign Office have actually quoted extracts from intercepted telegrams in several inter-war Command Papers, for example, Cmnd 2874 (1927) and Cmnd 1869 (1923). Will the Foreign Office, over 60 years later, now release the full text of all these telegrams? If not, why not?

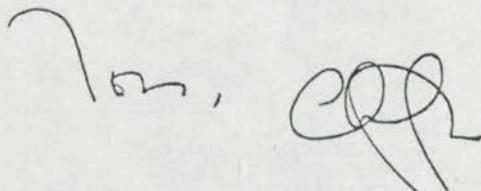
4. Why are some of the inter-war intercepts available in the House of Lords Record Office (e.g. Russian intercepts for the early 1920's in the Lloyd George Papers) or in the India Office Library (e.g. Russian and French intercepts for the early 1920's in the Curzon Papers) and yet they are not available in the Public Records Office? Does the Foreign Office intend to release them?*

5. Which Department, and in particular, which Officer or Minister decides whether or not such papers should be released to the PRO or elsewhere?

We are conducting this inquiry wholly within the context of historical and academic access to records in general rather than focusing on the Foreign Office in particular, although this matter obviously raises important questions. We are pursuing the general issue with the Lord Chancellor's Department who are responsible for the Public Records Office. I am writing to the Lord Chancellor and will attach a copy of my letter to you for his information.

You will remember that, as Leader of the House, in a debate about Select Committees you re-emphasised your predecessor's pledge that the Government would be as helpful as possible to the Committees. In that light I am sure that you will feel able to respond generously to my questions. I would be especially grateful if you were to find it possible to reply by 10 February.

If you think that it would be useful for me to talk to you or your officials in private, I would be very willing to do so.



Christopher Price
Chairman

* For exact references please see Dr C. Andrew's papers in The Historical Journal 1977 No.3 and 1982 No.4.



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EDUCATION, SCIENCE AND ARTS COMMITTEE

Rt. Hon. Lord Hailsham
of St Marylebone, CH, FRS, DL
House of Lords

28 January 1983

Public Records Inquiry

You may be aware that difficulties arose on Monday when my Committee questioned one of your officials, Mr J.W.S. Dempster, and officials from the Foreign Office about the availability of certain inter-war intercepts of diplomatic telegrams of other posers. In particular, I asked Mr Dempster whom we should summon before us who was responsible for such matters. I and my Committee felt very strongly that, even if such papers are withheld, Parliament is entitled to information about who is responsible for, and what the criteria are, for the release or retention of these and similar documents.

I attach for your information a copy of my letter to Francis Pym, which contains more detailed references. I hope that the specific question of the intercepts can be resolved in discussion with the Foreign Office, but I feel that the more general issue of responsibility for release of documents to the Public Records Office will be of particular concern to you.

I would be most grateful if you could assist the Committee in this matter. If you feel that it would be helpful for me to talk to you or your officials privately, I would be very willing to do so.

Christopher Price
Chairman



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CABINET OFFICE
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EDUCATION, SCIENCE AND ARTS COMMITTEE

RIA
Sir Robert Armstrong KCB, CVO
Secretary of the Cabinet
Cabinet Office
70 Whitehall
London SW1A 2AS

7 December 1982

Dear Sir Robert

The Select Committee are conducting an inquiry into the 'access by academics to records in the Public Record Office in the light of the Wilson Report, Cmnd 8204 and the Government's reply, Cmnd 8531.' Oral evidence has already been taken from Sir Duncan Wilson, Lord Denning and Lord Trend.

In the course of their inquiry the Committee have received a number of suggestions from academics relating to particular classes of papers; and one of these draws attention to apparent anomalies in the access given to Government papers relating to the security services which are more than thirty years old.

The representations have lead the Committee to direct me to write to you to enquire what plans the Cabinet Office has for the release of the papers of the Secret Service Committee of the Cabinet which met under the chairmanship of Lord Curzon, the Foreign Secretary, from 1919 to 1921. They gather that copies of some of the Secret Service Committee papers for 1919-21 have been freely available in the Lloyd George papers in the House of Lords Record Office for some years, but that none are available in the Public Record Office and that the index to the Cabinet minutes for these years appears to have been compiled in such a way as to conceal even the existence of this Committee in that there is a substantial blank area between 'Second Chamber' and 'Secretary Permanent' from which even the heading 'Secret Service' would appear to have been removed, though a cross-reference to 'Secret Service' under 'Scotland Yard' is entered.

Yours sincerely,

A.J. Hastings
Clerk to the Committee