

PART 4.

CONFIDENTIAL FILING

House of Commons Procedure
Reorganisation of Select Committees.
Departmental Select Committees.
Disclosure of Documents
Advance Copies of Command Papers
Replies to Select Committee Reports: Procedure
for Clearance

PARLIAMENT

PART 1 MAY 1979

PART 4 JUNE 1980

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
15.5.81							
19.5.81							
2.6.81							
4.6.81							
15.7.81							
20.7.81							
23.7.81							
24.7.81							
3.8.81							
18.8.81							
11.8.81							
2.9.81							
Ends							

PREM 19/557

PART 4 ends:-

WR Jo FCO 4/9

PART 5 begins:-

S/S DES Jo COL 7/9

File

ds

Pattison

4 September 1981

**Government Observations on the Fourth Report of
the Foreign Affairs Committee**

Thank you for your letter of 2 September to Mike Pattison, telling us that you propose to publish this White Paper on 18 September. This is to confirm that we have no objection to publication.

W F S RICKETT

A.G. Harrison, Esq.,
Foreign and Commonwealth Office.

5

NOTE: I have asked FCO to show us a copy of their reply
HOD until this arrives.

WR
2/9



Foreign and Commonwealth Office

London SW1A 2AH

Willie Yes. FCO
Private Office
Now pa? will be contacting us with
Re version agreed by the FCS.

Steve

4.9.81

2 September 1981

WR
4.6.9

Dear Pattison,

GOVERNMENT OBSERVATIONS ON THE FOURTH REPORT OF THE
FOREIGN AFFAIRS COMMITTEE

1. We propose to publish as a White Paper on 18 September the Government's observations on the Report.
2. You may recall that the Committee's Recommendations on the BBC's External Services and their comments on the linguistic abilities of Diplomatic Service officers attracted wide-spread press coverage and, in the case of the BBC, interest in Parliament.
3. I should be grateful if you, and those to whom I am copying this letter, would kindly confirm that there is no objection to publication.

Yours ever,

A G Harrison
Assistant Parliamentary
Clerk

M Pattison Esq
10 Downing Street

cc: D Heyhoe Esq
Office of the Chancellor of
the Duchy of Lancaster
P Moore Esq
Govt Chief Whip's Office

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pm.

With the compliments of

THE PARLIAMENTARY CLERK
FOREIGN AND COMMONWEALTH
OFFICE

~~Mr. Richett,~~

We spoke. Draft version of reply to FAC. Cite attached. Manuscript alterations have NOT yet been cleared with Secretary of State, but these involve changes to grammar rather than changes of policy.

LONDON, SW1A 2AH

Quaintance

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM:

Reference

DEPARTMENT:

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.....In Confidence

FOURTH REPORT FROM THE FOREIGN AFFAIRS COMMITTEE

Session 1980-81

CAVEAT.....

SUPPLY ESTIMATES 1981-82

(Class II, Votes 1, 2, 3, 5 & 6)

Observations by the Secretary of State for Foreign and Commonwealth Affairs, the Secretary of State for the Environment and the Chief Secretary to the Treasury

The Secretary of State for Foreign and Commonwealth Affairs, the Secretary of State for the Environment and the Chief Secretary to the Treasury welcome the Fourth Report from the Foreign Affairs Committee, Session 1980-81 (HC 343-1) on the Supply Estimates 1981-82, and make the following observations.

.../Recommendation 1

Enclosures—flag(s).....

Recommendation (i)

We regret the misleading impression given by the way in which certain figures were presented: we insist that when comparative figures are given, like is compared with like, or else the nature of figures or percentages being quoted is made clear (paragraph 7).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The recommendation is noted and will be borne in mind when other information on the Estimates is being furnished to the Committee. The Foreign and Commonwealth Secretary regrets any misunderstanding that arose from the material provided. There was no deliberate intent to mislead or confuse.

Recommendation (ii)

The estimating procedure, particularly for Vote 1, is complicated and clarity is not a primary quality of the estimating process. The House is not being helped with its task of understanding changes in Estimates from year to year by the way in which figures are presented (paragraphs 7 and 8).

Observation by the Secretary of State for Foreign and Commonwealth Affairs and the Chief Secretary to the Treasury

The Government is concerned to make the Estimates more comprehensible and informative to the House. It put certain proposals for improvements to the Treasury and Civil Service Committee when they were considering the matter in the 1980-81 Session. In their Sixth Report the Committee welcomed the proposals and made suggestions

/for

for certain further changes*. The Committee accepted that extensive reforms could not be made in a single step but wished to see a good start made for the 1982-83 Main Estimates. The Government will be replying in due course to the Committee's Report.

Recommendation (iii)

We recommend that if manpower cuts are being considered it should be borne in mind that the 'operational' staffs do the bulk of the work for which the Diplomatic Service exists (paragraph 10)..

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The importance of not reducing 'operational' staff unduly is accepted. As the Committee have recognised, cuts are still being made and the future pattern is not yet clear.

However, the figure of 6.8% mentioned in paragraph 10 of the Report relates to the total DS/FCO payroll. This excludes Passport Office, Communications Division and GCHQ, but includes a significant number of other support staff (eg Secretarial Grades, Security Officers and officers concerned with administration) as well as 'operational' staff.

The Communications division consists of four FCO departments. Of these, one has been inspected in the normal way and cuts have been made accordingly. Examination of the other three has been awaiting an Inspection this year: the results of that Inspection are now being considered and are expected to result in cuts

/at

at least at the level of those made elsewhere. In the longer term, it is expected that the introduction of new technology, including a message handling switch, will lead to further staff economies in the Communications Division.

Work at the Passport Office is demand-related. Passport issues have increased from 1,637,000 in 1978/79 to 2,186,000 in 1980/81. The 1979 Inspection recommended 1,004 staff to deal with 1.7 million passport issues. As a result of greater productivity the Estimate for 1981/82 provides for 1,005 permanent staff to deal with 2 million passports. There is provision for an increase in the staff (permanent, casual, or a combination of both) of the Passport Office if passport issues rise above 2 million - as indeed they did in 1980/81.

Recommendation (iv)

We recommend examination of the possibility of having an oral language test for candidates for the Diplomatic Service whether entering at Grade 10, 9 or 8 (paragraph 13i).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

We are initiating the examination recommended and will report the results to the Committee.

Recommendation (v)

We recommend that the Diplomatic Service Language Centre be inspected by an expert from outside the FCO and that consideration should be given to the balance between the FCO's own facilities and the use of language schools (paragraph 13ii)

Observation by the Secretary of State for Foreign and Commonwealth Affairs

We accept this recommendation. We are working to determine appropriate terms of reference for the inspection and considering the selection of a suitable person or organization to carry out the task.

Recommendation (vi)

We believe that a tighter grip of estimating and planning is needed by the FCO on its computer projects (paragraph 14)

Observation by the Secretary of State for Foreign and Commonwealth Affairs

With the active help of the Director of the Central Computer and Telecommunications Agency, we are building up a stronger cadre of experienced computer staff and this process is continuing. Within the limits of the competent staff available, computerisation is indeed

/being

being tackled with greater urgency than in the past.

Visits will be paid in the near future to friendly countries with experience in the application of computers to diplomatic work.

The Department's internal machinery for the control of computer policy has been revised, and is now in the hands of a small working group chaired by the Director of Communications and Technical Services.

The FCO is anxious to get on with the computerisation of all ^{those of} its activities, which can be done more efficiently and cheaply in that way. But if after thorough investigation through a professional project definition study, we conclude that our first thoughts need revision, it would be irresponsible to press ahead regardless of whether the expenditure was cost effective. Although our views on the way to tackle the Passport Office, for instance, have changed as a result of our studies, we remain determined to introduce computers as quickly as possible.

Recommendation (vii)

We welcome the fact that consultants will carry out a study of the FCO's computing requirements in 1981

(paragraph 14)

Observation by the Secretary of State for Foreign and Commonwealth Affairs

Messrs P A Consultants and Telecommunications Ltd

(PACTEL) started work on 17 August on the strategic study of the FCO's computing requirements.

/Recommendation (viii)

Recommendation (viii)

We hope that the provision of micro-computers to assist with commercial record keeping at overseas posts, if successful, will be rapidly extended (paragraph 14).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

Agreed

Recommendation (ix)

We express the hope that any assistance required by the FCO to recruit computer staff will be readily given by the Civil Service Department (paragraph 16).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

A detailed study conducted earlier this year of the FCO's ADP staffing requirements concluded that more experienced computer staff should be recruited from outside the FCO/DS. The Central Computer and Telecommunication Agency endorsed this conclusion and have agreed to assist with recruitment. They have pointed out however that as there is a general shortage of ADP staff in the Civil Service it may not be easy to persuade other departments to release suitable officers for long periods.

Recommendation (x)

There is a requirement to recruit computer staff at the Grade 5 and Grade 4 levels (paragraph 16).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

Agreed. We intend initially to recruit one or more specialists from the Home Civil Service at Grade 5 or 5S level.

/Recommendation (xi)

Recommendation (xi)

Major reductions in the escorted bag service traffic are unlikely (paragraph 17).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The comments in paragraph 17 of the Report that escorted bag services are necessary and that major reductions are unlikely is accepted. The Secretary of State for Foreign and Commonwealth Affairs will continue to monitor developments in International Air Transport and will apply promptly such developments as will enable him to reduce the costs of this service.

Recommendation (xii)

We recommend that secure facsimile transmissions should be introduced when it is cost-effective to do so (paragraph 18).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The recommendation is accepted.

Recommendation (xiii)

We recommend that the FCO and the PSA should commence action to effect a change in the procedure which bars the use of receipts from unpredicted sales of Diplomatic Estate properties (paragraph 19).

Observation by the Secretary of State for Foreign and Commonwealth Affairs, the Secretary of State for the Environment and the Chief Secretary to the Treasury

The recommendation, which is complex and involves ^{Public}publ accounting procedures, is being considered by the Treasury.

/Recommendation (xiv)

Recommendation (xiv)

The capital expenditure programme for improving the BBC's External Services has been cut too often and by too much (paragraph 21).

Observations by the Secretary of State for Foreign and Commonwealth Affairs

The Government are determined to proceed with an investment programme to improve audibility within the financial constraints which prevail.

Recommendations (xv) and (xvi)

We recommend the construction of a relay station in Hong Kong to give improved audibility for BBC transmissions to China, Japan and Korea, and that as this is an urgent requirement money should be provided from the Contingency Reserve (paragraph 23).

We recommend the construction of a relay station in the Seychelles so that audibility in East Africa can be improved and that, as in the case of the Hong Kong station, the money should come from the Contingency Reserve (paragraph 24).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The BBC's present capital programme for the External Services envisages new relay stations being established to cover East Africa and the Far East. Seychelles and Hong Kong are possible sites for such stations. As Mr Ridley indicated to the House on 25 June, the speed with which these stations can be constructed will depend

/in

in part on the BBC's willingness to divert a certain amount of money from current to capital expenditure. Provided the BBC does this, the Government has stated its willingness to make a substantial increase in the Grant-in-Aid for implementation of the capital programme from 1983/84 onwards. Within the capital programme, however, priority must be given to the construction of two major new transmitter stations in the UK, and an enlarged programme to modernise Bush House, where expenditure has had to be increased to cope with an unforeseen health hazard.

Recommendation (xvii)

We recommend that the FCO should make strong representations to the MOD on the excessive delays in objecting to the siting of transmitters (paragraph 25).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

FCO are in close touch with MOD on the implications which high-powered transmitters might have for military flying operations - much more is involved than local radio interference, or the physical obstruction of tall masts. In certain circumstances the transmitters' field strengths could interfere with the avionics systems on the aircraft, including those controlling the release or detonation of explosive devices. This is a complicated matter justifying careful study because the safety of the general public ^{and} the aircrews and ^{the} possible loss of expensive aircraft ^{are} ~~is~~ involved.

Because of the varying electronic transmission hazard that transmitters represent they are all subject

/to

to avoidance distances calculated according to the type of transmitter.

As regards the specific case of Henstridge the BBC were involved in some research which was carried out into possible effects of high-powered transmitters, including the ones proposed there, and the Ministry of Defence very much welcomed this co-operation. It was partly because of this work and the fact that Rampisham was not near an airfield that the Ministry of Defence was able to respond more quickly in the latter case.

As regards Orfordness, the agreement of United States Air Force was conveyed to the BBC in July.

We are confident that if proper procedures are following ^{as} the Ministry of Defence should be able to reply expeditiously in future.

Recommendation (xviii)

The question of whether or not the BBC should run all the stations used by the External Services, at present a joint BBC/FCO responsibility, is not an urgent one; completion of an FCO report is awaited (paragraph 26).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

~~The Government note~~ ^{is noted.} The Committee's view ~~that this question is not an urgent one.~~ The results of the FCO enquiry are still being analysed.

Recommendation (xix)

We draw attention to the opinion of the House that there should be no cuts in the External Services of the BBC (paragraph 28).

/Observation

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The Government note this point

Recommendation (xx)

A scrutiny of the cost of VIP facilities at the London airports should be put into effect without delay (paragraph 29).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The Foreign and Commonwealth Secretary welcomes the views of the Committee. A detailed investigation into the cost of providing VIP facilities at the London airports is now being carried out.

Recommendation (xxi)

We fully endorse the excellent record of our Armed Forces in training and disaster relief overseas (paragraph 32).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The comments of the Committee are noted and have been drawn to the attention of the Ministry of Defence.

Recommendation (xxii)

We believe that the purpose of the European Discussion Centre should be clarified (paragraph 34).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The purpose of the EDC was to encourage the creation of an informed public opinion in member countries of the European Community, and to promote greater mutual
/understanding

understanding between member countries by offering those who influence opinion in those countries the opportunity to exchange views on political, economic and social questions of common interest.

Although the EDC has amply fulfilled these aims, there have been signs that it has outlived its role as a separate entity. From the beginning of 1982, therefore, the EDC conferences will be merged with the better known Wilton Park conferences, which are regularly open to participants from all OECD countries, and sometimes include participants from Eastern Europe and the Third World. The Wilton Park programme is to be expanded, and will include conferences on specifically European themes. We believe that the value of the discussions on European problems will be enhanced by airing them in the wider forum of Wilton Park. Some financial savings will also be achieved by the merger of the two series of conferences.

Recommendation (xxiii)

We recommend that sight should not be lost of the fact that small reductions in the larger grants to non-governmental organisations can produce useful savings to be used to help a wider range of those organisations requiring only small sums (paragraph 36).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

We note the Committee recommendation and will remain

/alert

alert to this possibility. Prior to the preparation of the Estimates, we undertake an annual review of all grants made by the FCO to non-governmental organisations and of all bids for new grants. In reaching a decision on how best the limited funds available should be distributed, we take into account all the relevant factors including the government's policy on public expenditure and the particular circumstances of each organisation.

Recommendation (xxiv)

We do not believe it just or reasonable for the United Kingdom to carry one-fifth of NATO's civil budget; we intend to scrutinize the question further (paragraph 37).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

The Foreign and Commonwealth Secretary notes the views of the Committee on the percentage share of NATO's Civil Budget borne by the United Kingdom and will be glad to co-operate with the Committee in its further scrutiny of this question.

Recommendation (xxv)

We are not satisfied about aspects of the FCO's policy of working towards zero growth in real terms in the budgets of international organisations and intend to look further into the matter (paragraph 38)

Observation by the Secretary of State for Foreign and Commonwealth Affairs

We note the Committee's intention to consider this matter further.

/Recommendation (xxvi)

Recommendation (xxvi)

We welcomed evidence of the FCO's resolution to maintain the freedom of the media in the face of the activities of some members of the UN (paragraph 39).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

Noted.

Recommendation (xxvii)

The proposal to have a single Senior Grade in the Diplomatic Service is welcomed. The salary point of an individual in the grade should not be publicised (paragraph 41).

Observation by the Secretary of State for Foreign and Commonwealth Affairs

~~It is accepted that to publicise unnecessarily the pay point of a member of the Senior Grade would damage the flexibility which the new system is designed to provide.~~

Agreed.



✓ MFD

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Rt Hon Francis Pym MC MP
Chancellor of the Duchy of Lancaster and
Paymaster General
Privy Council Office
Whitehall Place
LONDON SW1

19 August 1981

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

You sent me a copy of your letter of 21 May to Willie Whitelaw asking for personal views on the Departmental Select Committees. I have only appeared before the Employment Committee, although my officials have experience of several others.

I think it is too early to reach any firm conclusions on whether the Committees will fulfil the aims we had in mind when they were set up. As far as the Employment Committee is concerned, I do not feel that as yet they have had any major impact on increasing public awareness and the level of debate, or on the course of policy making and decision taking.

The Committee have not brought to light any new sources of factual information. Their requests for evidence, both oral and written, have in some cases been unclear and led to nugatory work. While no new officials have had to be taken on, those in my Department and more particularly in the MSC who have been devoting time and effort to writing papers for the Committee have necessarily been diverted from other work to which I would in other circumstances allocate greater priority.

The time and resources of the Committee - and of my Department - could have been better used had the Committee discussed the scope and objectives of their enquiries in advance with relevant officials, given greater indication in advance of questions to be covered in oral evidence and not regarded both Ministerial and

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official appearances as gladiatorial contests in which to score maximum points off witnesses.

I have asked Richard O'Brien of the Manpower Services Commission and Bill Simpson of the Health and Safety Commission for their personal views of the Committees. Copies of their responses are attached.

I am sending copies of this letter to all members of H Committee, other Ministers in charge of Departments, the Attorney General and Sir Robert Armstrong.

A handwritten signature in black ink, appearing to be "J. H. ...".

RESTRICTED



Manpower Services Commission

Selkirk House
166 High Holborn
London WC1V 6PF
Telephone 01-836 1213

Chairman: Sir Richard O'Brien

*cc Mr Frace
Mr White
Mr J. Jones
Mr Hyslop
Mr Sheppard
Mr York
Mr Brown
Mr Fair
Mr Keelin.*



Our ref
Your ref
Date

21 Jul 1981

PERSONAL

The Rt Hon James Prior MP
Secretary of State for Employment
Caxton House
Tothill Street
LONDON SW1

Dear Secretary of State,

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

In your letter of 26 June you asked for my personal views on the working of Select Committees since they were established about 18 months ago.

Most of our dealings have been with the Commons Select Committee on Employment but we have also given written and oral evidence to the Lords Select Committee on Unemployment and to the Commons Select Committees on Scottish Affairs, Welsh Affairs, Education, Science and the Arts and to the Home Affairs sub-committee on race relations and immigration. I have myself given oral evidence only to the Employment Committee of the House of Commons and the Unemployment Committee of the House of Lords.

I must admit to a sense of overall disappointment with the outcome so far of the work of the Committees which I know. Frankly, there is little sign that there has been better-informed discussion in Parliament or elsewhere. Whilst the Lords Unemployment Committee (which has yet to publish its report) was certainly concerned with fundamental issues and some Commons Committees were eager to seek facts, there has been little sign that Committees wished to debate fundamental issues in such a way that a constructive approach to policy could emerge or a better understanding be achieved in Parliament of the limitations on policy and the difficulties (and also the opportunities) which confront policy-makers in practice.

No important new sources of factual information have to my knowledge emerged though some detailed probing of the costs of some of our activities has brought into sharper focus information which we already possessed. Similarly I doubt whether public accountability has significantly changed - the PAC already exercises a proper scrutiny of our activities: needless to say, none of the above applies to the PAC.

The breadth and depth of topics chosen have varied immensely: the reports issued so far relating to the work of MSC have been of little significance. It would, I think, be preferable for topics to be selected by Committees after discussion with Ministers

/and

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and Opposition spokesmen particularly where the work of a Committee might serve to illuminate an area or aspect of policy which was, by consensus, agreed to be ripe for review. Another promising approach - and one taken by the Employment Committee in its current study of the activities of Government Departments in the field of job creation - would be for Committees to study issues which cross the boundaries between Departments.

The quality of Committee membership has varied but overall has not been impressive - and on occasions it has become all too evident both in questioning and in reports that a bi-partisan approach to an issue has not been achieved. The power invested in Select Committees is great but, if I may say so, this power has not in all cases been exercised with proper humility.

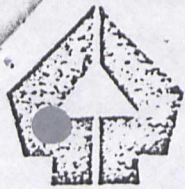
My officials have formed cordial relations with Committee staff who have been courteous and helpful.

To this I must add the following. An immense amount of officials' time at many levels has been spent on the preparation of evidence for the various Committees with which we deal. Officials will always do what is asked of them and the work has been well done. It would all be justified if it led to greater understanding of policy and practice, improved accountability and a deeper insight by all of us in MSC of our own affairs. None of this has happened on a scale (there have of course been marginal benefits) to justify the time spent.

So far, then, the Select Committee operation has not, in my view, been cost-effective. I regret this, but it may have been inevitable at the start. I strongly believe in the desirability of effective parliamentary control of the executive and nothing I have said should be taken as implying that I doubt the need for Committees of this kind. On the contrary, I very much hope that they will establish an important role for themselves - and the chances must surely be that given time they will succeed in doing just that.

Yours sincerely,

Richard Cross



Health and Safety Commission

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From the Chairman



The Rt Hon James Prior Esq MP
Secretary of State for Employment
Caxton House
Tothill Street
London SW1 9NF

cc To Freed
Mrs Johnson
To White
To Wye
To Shepherd
To Nemo
To JB Smith

16 July 1981

To Baylis
To Robinson
To Talbot

J/17/7.

Dear Jim,

THE REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

In your letter of 26 June you invited me to give you my personal view on the general effectiveness of the Departmental Select Committees.

The Commission has so far been involved in the work of two committees - those for Employment and Energy. As my comments may have some bearing on the work of both committees, I am copying this letter to David Howells.

Although we have given evidence, both oral and written, to both of these committees, we have so far not yet seen any reports, and my remarks must therefore be based on a fairly limited and incomplete experience of the work of these committees.

The range of subjects chosen by the Employment Committee touching on health and safety shows no evidence of careful thought, and has included such disparate subjects as nuclear safety, dispersal of the HSE to Bootle, and the safety of home workers. One suspects that subjects have been chosen because of the particular interests of members arising perhaps from political pressures, rather than from a broad review of health and safety issues.

We have, of course, not yet seen any results from the appointment of Brian Harvey as adviser to the Committee. Perhaps he will in time encourage the Committee to conduct rather more serious investigations into the principles on which policy is based.

Our experience of the Energy Committee has been more favourable, perhaps because their consideration of nuclear safety has formed a logical and necessary part of their programme of investigation into the future of the nuclear power programme. I would however point out that there is already some indication that the Employment Committee regards nuclear safety as their concern also. Because our responsibilities as you know extend across the work of several Departments, we may increasingly find

ourselves having to give evidence on the same subject to different committees, unless the Committee Chairmen can be persuaded to put their heads together and prevent this kind of overlap. This might also help to make the best use of the limited number of members who are interested and knowledgeable about our work.

Yours sincerely

Bill .

W J SIMPSON

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✓ MAF Parliament
2 MARSHAM STREET
LONDON SW1P 3EB

My ref: H/PSO/14779/81

Your ref:

15 AUG 1981

Dear Chancellor of the Duchy

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

Thank you for sending me a copy of your letter of 21 May to Willie Whitelaw.

I entirely accept the value of your proposed review of the work of Departmental Select Committees. However, as you suggest, the experience of any one Department may not be typical. The Environment Committee has been particularly unproductive and has concentrated mostly on housing. Only three substantial reports have so far been published on housing public expenditure and council house sales. Despite these reservations I have endeavoured to deal with the questions and issues in paragraphs 5 and 6 of your letter - a list of my responses is attached as an annex. In addition, my further general comments on the Environment Committee are as follows.

The Committee's decision to consider the housing implications of the Expenditure White Papers was sensible. However, their other enquiries have not been well-chosen. The Council house sales enquiry was badly timed and too contentious. It was only narrowly approved (by a majority of one) after a gap of nearly a year from the Committee's last session of oral evidence. An inordinate amount of written evidence was requested for the private rented sector enquiry which will be out of date by the time it is followed up. The West Midlands enquiry was unwieldy and in the end of little importance.

In addition the Environment Committee's work has failed as yet to produce any significant benefits in terms of more informed debates, good new evidence from other sources or recommendations that might assist with the development of better policies - all of which I would welcome. The scope of its enquiries has been too narrow, and their pace too slow to earn it the role of 'eyes and ears' of the House as anticipated by the Procedure Committee. It has therefore little to show for itself in any direction.

I am copying this letter to the recipients of yours.

Yours sincerely
J P Channing

MICHAEL HESELTINE
(agreed by the Secretary of State
and signed in his absence)

ANNEXparagraph 5

i) How far has the establishment of the Committees improved Parliamentary control over the executive?

The Environment Committee has had only a marginal influence on the Department's activities: this cannot have contributed significantly to an 'improved Parliamentary control'.

ii) To what extent have the Committee's reports and published evidence resulted in better informed discussion in Parliament and elsewhere?

Only three substantial reports (on the housing implications of the 1980 and 1981 expenditure White Papers and on council house sales) have been published by the Environment Committee and it is doubtful that these will result in any better informed discussions.

iii) Have the Committees brought to light significant new sources of factual information that have been of value to Departments in taking policy decisions?

No new sources of any value have emerged: the Department is the main source of housing data and much of the material used by the Environment Committee had already been published.

iv) What evidence is there that the Committee's reports led directly or indirectly to important measures which would not have been taken otherwise?

No important measures have been prompted by any of the reports. The recommendations of the recent Council House Sales report, despite a comprehensive analysis, are mainly limited to proposals for further reviews, monitoring and research.

v) Has the public accountability of Departments to the Committee led to improved officials performance?

No.

paragraph 6

i) How far have the advantages of improved Parliamentary Control or scrutiny justified the additional work and pressures on Minister and officials that have been entailed?

As 'improved control or scrutiny' has been negligible, no significant advantages have accrued and therefore the significant additional work, especially for John Stanley and his housing officials has not so far been justified.

ii) Has the membership of the Committees been too limited?

There is no case for expanding the membership beyond 11.

iii) How far has their choice of subjects for enquiry made the best use of time and resources?

The Environment Committee appears to have been particularly inept in the choice and timing of its enquiry topics: its emphasis on housing has proved troublesome both for the Committee and for the Department. This has been particularly true in the case of the council house sales enquiry which dragged on for nearly 18 months amidst rumours (proved to be correct) of strong dissent amongst committee members.

iv) Has the level of support staff proved appropriate?

It has not been the level of the Environment Committee's support but the kind of advisers and the way in which they have been used that has proved to be inappropriate. The issue here is that these

paid advisers, to justify their existence, and their personal political dispositions, can send off limitless requests for information, statistics etc, to a Department generating a great amount of work for officials and Ministers eg what we produced on the private rented sector none of which has seen the light of day. Effectively these paid advisers have far more ability to increase a Department's workload than any backbencher who simply gets the reply that the information cannot be made available except at disproportionate cost.

Parliament



DEPARTMENT OF EDUCATION AND SCIENCE
ELIZABETH HOUSE, YORK ROAD, LONDON, SE1 7PH
TELEPHONE 01-928 9222
FROM THE MINISTER OF STATE

*hm
JH*

Barney Hayhoe Esq MP
Minister of State
Civil Service Department
Whitehall
LONDON SW1

4 August 1981

Dear Barney,

OPEN GOVERNMENT: SELECT COMMITTEES

1. Thank you for copying to Mark Carlisle your letter of 10 July to Francis Pym about arrangements for supplying Select Committees with lists of departmental publications. I am replying in Mark's absence from the office.
2. The kind of statement you suggest is quite acceptable to me. The Education, Science and Arts Committee receives copies of a wide range of publications produced by my Department, including all major documents, Circulars and press releases. I have arranged for the Committee to receive copies of our publications lists as they are issued. However, we do not provide the Committee with copies of all documents we produce and I therefore support Francis Pym's suggestion in his letter of 15 July that some scope for departmental discretion ought to be preserved by the omission of the words "all" (publications) from the statement you have in mind.
3. I am copying this letter to recipients of yours.

Yours ever

Baroness

BARONESS YOUNG



Parliament 2pp
DEPARTMENT OF INDUSTRY
ASHDOWN HOUSE
123 VICTORIA STREET
LONDON SW1E 6RB

TELEPHONE DIRECT LINE 01-212 7691
SWITCHBOARD 01-212 7676

From the
Minister of State

Norman Tebbit MP

Barney Hayhoe Esq MP
Minister of State
Civil Service Department
Whitehall
SW1A 2AZ

3rd August 1981

✓ MAD

D. Barney,

OPEN GOVERNMENT: SELECT COMMITTEES

In Keith's absence in hospital I am replying to your letter of 10 July to Francis Pym proposing a statement on the arrangements for keeping Departmental Select Committees informed of publications by their related Departments.

I support Francis Pym's suggestion that it would be desirable to omit "all" from any undertaking.

The Industry and Trade Committee seems content with the arrangements we have made to keep it in touch with Department of Industry publications, but I think it would contest the implication that we have introduced special arrangements for the Committee. The Committee does get copies of Press Notices and we would draw publications affecting current Committee inquiries to the attention of the Clerk, but in general the Committee relies on the lists of publications in the Department's published magazine "British Business", which is available to everyone. The Committee Clerk asked us for advice about how to keep in touch with publications almost as soon as he was appointed and the Committee might feel that the initiative was taken by the Committee rather than by the Government, though that hardly seems worth arguing about.

There would be no risk though if your statement could be that "the Government has taken steps to ensure that the Committees are kept regularly informed of publications issued by the Departments with which they are concerned". Or you might prefer something like: "the Government has taken the initiative to check arrangements in order to ensure that the Select Committees are kept regularly informed etc."

NORMAN TEBBIT



From the Secretary of State

Barney Hayhoe Esq MP
Minister of State
Civil Service Department
Whitehall
London, SW1A 2AZ

✓
MA

3. August 1981

Dear Barney,

OPEN GOVERNMENT: SELECT COMMITTEES

You wrote to Francis Pym on 10 July about a statement on the arrangements for keeping Departmental Select Committees informed of publications by parent Departments.

I agree with Francis Pym that it would be preferable to omit "all" from any undertaking; we can never be sure that every publication is caught up in the lists of Department of Trade publications.

Although we would draw the Trade and Industry Committee's attention particularly to any publication bearing on current Committee inquiries, the arrangement we have is that the Committee links in to our pre-existing arrangements for notifying the world at large of publications through the Department's magazine. The Committee would probably object to a suggestion that we had established special arrangements for it. Moreover, the Committee Clerk approached us about this before the Committee was off the ground, so it may be arguable about who took the initiative in setting up the arrangements.

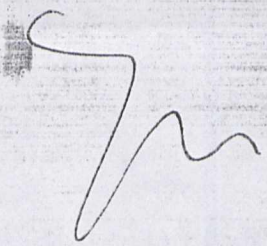
It would be more exact and safer if your statement could simply say that "the Government has taken steps to ensure that the Committees are kept regularly informed of publications etc". Or, if you want



From the Secretary of State

to keep the idea of an initiative, perhaps you could say something like: "the Government has taken the initiative to review the arrangements to ensure that etc". Departments will no doubt have reviewed arrangements as a result of your letter.

I am copying this to recipients of your letter.



John Biffen

JOHN BIFFEN



✓ MAD

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

The Rt Hon Francis Pym MC MP
Chancellor of the Duchy of Lancaster
Privy Council Office
Whitchall
LONDON
SW1A 2AT

30 July 1981

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

I have been thinking about your letter of 21 May to Willie Whitelaw. In it you indicated the intention to conduct this review at both Ministerial and official level. The official review is, I understand, now well under way and my Department will be responding in due course. What follows is my response to your request for my personal comments on the effectiveness of the Select Committee system.

My comments on the questions you put are as follows:-

- A How far has the establishment of the Committees improved Parliamentary control over the Executive?

I consider it is too early to answer this question fully. Committees have been more effective than Parliamentary Questions or general debates in getting towards the root of problems. Perhaps because the Scottish Office is not the main functional Department in any but a few areas the Scottish Committee has found more difficulty or shown less inclination to investigate in depth.

- B To what extent, for example, have the Committees' Reports and published evidence resulted in better informed discussion in Parliament and elsewhere?

There have been some specific examples of this happening but in general I am not persuaded that debates have been better informed because of preceding interrogation of officials by the Committee.

- C Have the Committees brought to light significant new sources of factual information of value to Departments in taking policy decisions?

No.

- D What evidence is there that the Committee's reports led, directly or indirectly, to important measures which would not have been taken otherwise?

The Scottish Committee's report on inward investment helped, by focusing attention on the role and record of the Scottish Development Agency in this activity, to secure an organisation that might have been less readily established otherwise, although the Select Committee's actual recommendations would have been totally impracticable to implement. On dispersal to Scotland - a still more recent inquiry - the Committee would no doubt claim with some justification that they have been successful in keeping up the pressure.

- E Has the public accountability of Departments to the Committees led to improved official performance?

I see no evidence of this. Senior officials don't need a Committee to remind them of potential Ministerial and Parliamentary interest in any of their activities or of the Government's political stance in Scotland. If the question refers to uncovering error or deficiencies, the answer is also 'No', not because I want to claim that mistakes are never made in my Department but because I doubt whether the Select Committee is designed to pick them up.

- F How far do the advantages of improved Parliamentary control or scrutiny justify the additional work and pressures on Ministers and officials that has been entailed?

Here again, see my answer to D. I would like to think that the explanation of issues and problems has been helpful in acquainting 13 backbenchers on both sides with the realities of public expenditure, administration, etc; but even with the best support, the other demands made on the MPs who form the Committee must limit the number of inquiries that they can usefully conduct. Experience suggests that the most important factor is the effort which the members are prepared to put into the work of the Committee together with the support they are able to recruit. In my opinion the standard of questioning and the apparent quality of briefing of members of the Committee has usually been deplorable. In some respects that makes life easier for Ministers and officials appearing before the Committee as witnesses, but it certainly does not contribute to the usefulness of the system.

- G Has the membership of the Committees been too limited?

I do not think Ministers should sit on these Committees, but the other conventions about selection of members (no Opposition spokesmen, no PPS's) undoubtedly limit the effectiveness of the Committees, (though it is almost certainly the Government which benefits from this).

H How far has choice of subjects for enquiry made best use of time and resources?

The answer depends on what the Committee is trying (or sees itself as trying) to achieve. The Scottish Committee tends to dash about from subject to subject; and in some cases it has held one day inquiries resulting merely in the publication of evidence unsupported by a report. It would have done better to attempt to cover the range of functions of the Scottish Office systematically instead of concentrating on politically attractive subjects.

J Has the level of support staff proved appropriate?

I have no real complaints as regards the Scottish Committee. The present Clerk and his Assistant, though mindful of their Committee's prestige, are helpful, and we maintain close official liaison. Occasionally the Committee has had difficulty in getting a suitable specialist adviser (most recently on the inquiry into the White Paper on Public Expenditure) but I do not think this has been because of any lack of appreciation on the part of the Committee or its officials of the importance of specialist support staff. Their policy of seeking different specialists for different inquiries is surely the right one, given the wide range of specialisms covered by the Scottish Office. On occasion former Scottish Office officials have been employed as specialist advisers.

In trying to assess the effectiveness of the Scottish Committee, I ought to comment on the case for sub-Committees. The Scottish Committee is the largest and, in terms of subject matter, probably has the largest potential canvas to cover. Difficulties have arisen from both these causes, and this to some extent lies behind the Committee's request - reiterated in April in its Second Special Report - for the power to appoint sub-Committees. The Committee says its size (for which of course the Government is not responsible) makes it unwieldy, and its wide area of reference requires the flexibility which sub-Committees would bring to its method of working.

I accept that there is some force in the arguments adduced by the Scottish Committee for the right to appoint sub-Committees. In particular, the very wide remit of the Committee makes it difficult for its members to build up expertise in the subject areas with which they are dealing. It has been suggested to me that, if the sub-Committees were to specialise, less time would be spent as the members familiarise themselves with the topic of inquiry. This argument could, of course, be applied to justify the establishment of sub-Committees by all the Select Committees, but I recognise that the remit of the Scottish Committee gives the argument particular relevance there.

With 13 members the Committee is undoubtedly unwieldy, but I do not accept the argument that because it is too large, more work must be taken on to justify its size. If it were to be given power to appoint a sub-Committee and used this power in such a way that only the sub-Committee took evidence and deliberated, that would be an improvement on the present arrangement. But they can probably do this anyway at the moment if they wished; and I have to accept that, insofar as the Committee really know what they want, in seeking power to appoint sub-Committees, they want to expend their activities in a way which would add to the work falling on particular areas of my Department and would do this in ways which I would not consider acceptable unless I felt able to increase, rather than decrease, manpower at senior levels. The creation of one or more sub-Committees would accentuate the present uneven incidence of inquiries across the Scottish Departments, despite the Committee's protestations to the contrary. In any event, uneven incidence is a problem, but not the main problem. This is the extra work created for Ministers and senior officials, not so much in preparing initial memoranda for the Committee, giving evidence and monitoring the conduct of the inquiry (though the burden is greater than the Committee allow), but more particularly in considering reports and determining the nature of responses, especially where co-ordination of the views of a number of Departments is involved. For these reasons I do not think we should concede the case for sub-Committees for the Scottish Select Committee.

I am copying this reply to the other recipients of your letter.

GEORGE YOUNGER



Parliament

✓
[Signature]

Treasury Chambers, Parliament Street, SW1P 3AG
01-233 3000

24 July 1981

Barney Hayhoe, Esq., M.P.,
Civil Service Department

Dear Barney

OPEN GOVERNMENT: SELECT COMMITTEES

Thank you for copying me your letter of 10 July to Francis Pym about arrangements for supplying Select Committees with lists of departmental publications.

My Departments have generally followed the practice of bringing to the notice of the Treasury Select Committee all important and relevant publications. (Indeed, a good deal of material is now published by the Committee or in connection with their enquiries.) We aim to improve on these arrangements by compiling a comprehensive list of Treasury publications which will be periodically updated and sent over to the Committee. Customs and Excise and Inland Revenue already make satisfactory arrangements. I am therefore content with the formulation you have in mind subject to Francis Pym's amendment and also, I think, to the caveat you suggest about publications of a minor routine nature.

I am copying this letter as you did.

[Handwritten signature]

GEOFFREY HOWE

SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

✓ MR

Pantalone

01 211 6402

Barney Hayhoe Esq MP
Minister of State
Civil Service Department
Whitehall
London SW1A 2AZ

23 July 1981

Dear Barney

OPEN GOVERNMENT: SELECT COMMITTEES

I have seen your letter of 10 July to Francis Pym about the need to ensure that Select Committees are kept regularly informed of publications issued by Departments.

I am very much in favour of keeping the Committees informed and my Department makes every effort to keep the Select Committee on Energy up to date through the regular despatch of the Department's Press Notices and daily press summaries. In addition, copies of Energy Papers and of our annual "Brown Book" on UK oil and gas developments are sent to the Committee as and when they are published. But we do not send everything we produce, and I therefore agree with Francis Pym's suggestion in his reply of 15 July that "all" would be better omitted from your form of words.

I am copying this letter to the recipients of yours.

Yours

David

D A R HOWELL

Handwritten notes in top left corner, partially obscured by a stamp.



MINISTRY OF DEFENCE WHITEHALL LONDON SW1A 2HE

TELEPHONE 01-218 9000
DIRECT DIALING 01-218 2111/3

Prime Minister

Mr Nott is cautious about keeping select committees fully updated on Departmental publications

MO 21/8/4

22nd July 1981

Handwritten initials and date: MAF 23/7/81

Dear Barney,

Handwritten initials: JN

OPEN GOVERNMENT: SELECT COMMITTEE

You copied to me your letter of 10th July to Francis Pym proposing that the Government should be prepared to undertake that individual Departments will keep their Select Committees regularly informed of all publications they issue. I have noted Francis' view about giving hostages to fortune: I too have reservations.

As my Private Secretary has already mentioned in earlier correspondence, the range and number of publications of my Department are very much greater than that of any other Department, covering for example technical publications of interest to the defence industry, reports published by R&D establishments, documents produced for the Armed Services, and hydrographic charts. The compilation of lists and their regular up-dating, would involve additional effort, and cost, which I think could be better directed.

Each Committee's requirements are different and I can see no advantage in proffering further services which - certainly in the case of the Defence Committee - have not been requested. A general undertaking is likely to lead to wasteful practices of the sort we as a Government are trying to eliminate.

I am copying this letter to the Prime Minister, the other members of the Cabinet, the Chief Whip and to Sir Robert Armstrong.

Yours ever
John Nott

Barney Hayhoe Esq MP



MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH

Parliament

From the Minister

MAFF

Barney Hayhoe Esq MP
Minister of State
Civil Service Department
Whitehall
London SW1

20 July 1981

[Handwritten signature]

OPEN GOVERNMENT: SELECT COMMITTEES

Thank you for sending me a copy of your letter of 10th July to Francis Pym about supplying Select Committees with lists of departmental publications.

The practice in my Department has been to supply our Committee with the more significant MAFF publications as they appear. However, I am arranging that in future the Committee will be sent in addition our departmental catalogues of publications as they are issued. The kind of statement you have in mind to make would therefore be acceptable to me.

I am sending copies of this letter to the Prime Minister, members of the Cabinet, the Chief Whip and Sir Robert Armstrong.

[Large handwritten signature]

PETER WALKER

circ

Parliament



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

Chancellor of the Duchy of Lancaster
and
Paymaster General

15 July 1981

✓
M/P

Dear Barney,

You wrote to me on 10 July proposing that the Government should be in a position to say that arrangements have been established to ensure that select committees are kept regularly informed of all publications issued by the Department they are marking.

I agree with what you propose. As you point out, however, we might be giving an unnecessary hostage to fortune if we unreservedly undertook to inform select committees of "all" such publications. Some scope for departmental discretion to exclude items unlikely to be of interest would seem desirable. Perhaps "all" might simply be omitted in any undertaking.

I am copying this to the recipients of yours.

Francis Pym
Francis Pym

FRANCIS PYM

Barney Hayhoe, Esq, MP
Minister of State for the
Civil Service Department
Whitehall
LONDON



Minister of State

Civil Service Department
Whitehall London SW1A 2AZ
Telephone 01-273 3000

initial 2
office

The Rt Hon Francis Pym MC MP
Chancellor of the Duchy of
Lancaster
Privy Council Office
Whitehall
London
SW1

10 July 1981

jit

Prime Minister

*Mr Hayhoe wants to encourage
Depts to give Select Committees
up-to-date information about
Departmental publications. This
will be a useful means of*

Dear Francis,

OPEN GOVERNMENT: SELECT COMMITTEES

*publicising how much the Government
does release. MAF 15/11/81*

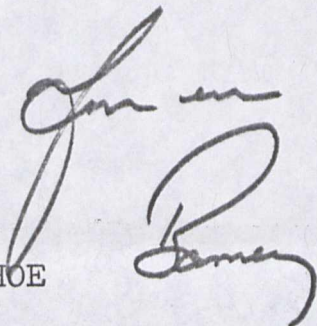
You may recall my correspondence with Christopher Price,
earlier in the year, about facilities to enable the public
in general to know what Government publications are
available.

In the debate on 6 February on Frank Hooley's Freedom of
Information Bill, I emphasised the significance of the
departmental Select Committees in the context of our policy
of open government. I think it would be a further step
forward if we were in a position to say that the Government
has taken the initiative in establishing arrangements to
ensure that the Select Committees are kept regularly informed
of all publications issued by the departments with which they
are concerned.

I understand that a number of departments already supply their
Committees periodically with lists of their publications (as
well as, of course, drawing special attention to those of major
immediate interest). However, each Committee is different,
and there are also substantial variations in the range of
individual departments' publications. Any arrangements made,
and any statement about them, will need to reflect these
differences. It may be necessary, for example, to refer to
"all publications, other than those of a minor routine nature".
And it must be for individual colleagues' judgement how
frequently the information should be brought up to date.

Unless, however, you or any of those to whom this letter is
copied see any insuperable difficulties, I think it would be
very helpful if the Government were in a position to make the
kind of statement that I have outlined. I would not suggest
any special announcement, but the point might be brought out
on the next occasion when either open government, or Select
Committees, are discussed in Parliament.

I am sending copies of this letter to the Prime Minister,
members of the Cabinet, the Chief Whip and Sir Robert Armstrong.

A handwritten signature in cursive script, appearing to read 'Barney Hayhoe', written in dark ink.

BARNEY HAYHOE

A faint, circular red stamp, likely a postmark or official seal, located in the lower right quadrant of the page. The text within the stamp is illegible due to fading.

RESTRICTED



✓ MJD
Parliament

SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
TELEPHONE: 01-211 3000
01 211 6402

The Rt Hon Francis Pym MC MP
Chancellor of the Duchy of
Lancaster
Privy Council Office
Whitehall
London
SW1A 2AT

4 June 1981

Dear Francis

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

Thank you for copying to me your letter of 21 May to Willie Whitelaw.

I certainly welcome the review of Departmental Select Committees which you have in mind. I think the new Select Committees have a potentially valuable role to play. But if our experience with the Energy Committee is at all typical, the Committees still have a great deal to learn and it will be some time before they achieve the objectives which Parliament had in mind when they were set up.

The Energy Committee devoted almost the whole of last year to its inquiry into the Government's proposed nuclear power programme and has consequently had little or no time to exercise its scrutiny and monitoring role. More recently, the Committee has been investigating Industrial Energy Pricing, and has now launched into Oil Depletion Policy and Energy Conservation - all highly topical issues. But it has so far been a bit slow to respond: there is usually a long delay between the taking of evidence and the issue of the final report. In the case of Energy pricing, for example, events have been moving so quickly that there is a danger that the Committee's Report will be out of date before it is even published.

The Energy Committee has in my view had little influence on policy and decision making. I do not think the Nuclear Inquiry report presented any new facts, although it might have influenced attitudes within the Department. The inquiry brought to light a rather wider range of views than was previously available to us, which has been helpful in causing us to look again at certain aspects of our policy to ensure that it is still soundly based.



- 2 -

More generally, the Energy Committee has so far tended to put the Department "in the dock" as it were and to concentrate on testing out on us the views (and prejudices!) of various pressure groups without always subjecting our critics or the alternative courses of action they put forward to the same vigorous scrutiny. From our experience, the Committees must develop a more balanced and objective approach to their investigations if they are to succeed in promoting better informed discussion in Parliament and outside.

An undoubtedly worrying feature of the new system of Select Committees is the additional work which its activities have generated for staff in my Department. For small 'policy' Department such as ours, this imposes a real burden on resources which are already overstretched.

I am copying this letter to the recipients of yours.

D A R Howell

Howell
Howell

RESTRICTED



✓
MAO

Treasury Chambers, Parliament Street, SW1P 3AG
01-233 3000

2 June 1981

The Rt. Hon. Francis Pym, MC., MP.,
Chancellor of the Duchy of Lancaster

Mr Francis

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

Thank you for sending me a copy of your 21 May letter to Willie Whitelaw.

The idea of a review is a good one and the Treasury will obviously be ready to co-operate in the official level study which, I understand, will be launched shortly. I shall want to have some discussion with colleagues here before I give you my own views - which may well cover some of the practical issues as well as the interesting wider questions you mention. I would hope to let you have my views later this month if at all possible so that you can get an assessment together for September.

I am copying this letter to all members of H Committee, to other Ministers in charge of Departments, the Attorney General and Sir Robert Armstrong.

✓
Howe

GEOFFREY HOWE

Purbot

2.



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AI

Chancellor of the Duchy of Lancaster

21 May 1981

Prime Minister

Dear Willie

To be aware of this exercise to
assess the impact of Select Committees:
the key questions are in para 6 - and
all are delicate vis-a-vis the House.

REVIEW OF WORK OF DEPARTMENTAL SELECT COMMITTEES

MAR 22/81

1. The Departmental Select Committees have now been established for about eighteen months. That, of itself, suggests that it would be useful to make some assessment of their work. There are two other reasons why I think we need to do so over the next three or four months. First, I expect that the House will wish to debate the work of the Committees either during the spillover in October or fairly early in the new session. We need to have formed a Government view before such a debate, considered any changes that we might wish to propose to the House and decided how to respond to the pressures from the Committees, particularly the pressure for the establishment of more sub-committees. Second, it seems likely that the present Select Committee on Supply Procedure, which still hopes to report before the recess, will propose that the departmental Committees should have increased powers as part of improved procedures for the scrutiny of the estimates.

2. The purpose of this letter, therefore, is to let you know how I have it in mind to collect some of the material needed for a general assessment of the work of the departmental Select Committees, and, second, to seek your help and that of other colleagues in making the assessment.

3. In the first instance I have asked officials to bring together such factual material as is readily available to departments and to the House authorities. This includes information about the number of enquiries undertaken, the scale of official evidence, the number of Government replies, etc. As regards costs, CSD have, as you know, made a broad assessment of departmental costs and you might be interested to see the attached table showing some of the expenses incurred by Select Committees in the 1979-80 session. The second table gives the number of Committee meetings in that session and the attendance records of members.

.../...

The Rt Hon William Whitelaw CH MC MP
Secretary of State for the Home Department

4. Second, I am asking for departments to be consulted, at official level, about their experiences of working with the new Committees and about any particular problems which have arisen. No doubt these official comments will be submitted to Ministers. Beyond that, however, I should be very grateful if you and other colleagues could let me know your personal views on the general effectiveness of the Committees in achieving the objectives which we had in mind in supporting their establishment. I recognise that different people have inevitably seen the purpose of the Committees in different ways and that the Committees themselves have differed in their interpretation of their role. Indeed, one conclusion we may come to is that no generalisations apply equally to all the fourteen committees.

5. Nevertheless, I suggest that the primary question is how far the establishment of the Committees has improved Parliamentary control over the executive. To what extent, for example, have the Committees' reports and published evidence resulted in better informed discussion in Parliament and elsewhere? Have they brought to light significant new sources of factual information that has been of value to Departments in taking policy decisions? What evidence is there that their reports led, directly or indirectly, to important measures which would not have been taken otherwise? Has the public accountability of Departments to the Committees led to improved official performance?

6. We have to form some assessment - recognising that opinion in the House and in informed academic circles may well form a different assessment - on how far the advantages of improved Parliamentary control or scrutiny have justified the additional work and pressures on Ministers and officials that has been entailed. Other general issues on which you may like to comment are whether the membership of the Committees has been too limited; how far, in your view, their choice of subjects for enquiry has made the best use of time and resources; and whether the level of support staff has proved appropriate.

7. I hope you do not think this somewhat formidable list of questions adds unreasonably to colleagues' burdens at a very busy time of the year, but I would like to be able to bring some considered and informed assessment before colleagues in September.

8. I am copying this letter to all members of H Committee, to other Ministers in charge of departments, the Attorney General and Sir Robert Armstrong.

Francis Pym
Francis Pym

FRANCIS PYM



Attached is the enclosures
to Mr Francis Pym's
letter of the 21.5.81
to the Home Secretary
on Departmental
Select Committees

Apologies for omission
with compliments

(BOX)
22/5/81

CHANCELLOR OF THE DUCHY OF LANCASTER
68 Whitehall London SW1A 2AT

Telephone 01-233-7113

SOME COMMITTEE EXPENSES 1979-80 (£)

Note: This Table omits the expenditure by the House of Commons Commons (Services) Committee (£1,560), the Sound Broadcasting Committee (£1,273), Members' Interests Committee (nil) and Committee of Selection (nil), and their printing costs.

It also omits Witnesses' expenses (totalling £2,632) and Entertainment expenses (totalling £323).

	1. overseas visits	2. UK visits	3. SAs, fees & expenses: and work commissioned	4. transcripts of evidence	Total of Cols. 1 to 4	Printing (Gross)
Agriculture	6,656	1,802	8,213	4,158	20,829	66,240
Defence	5,393	6,738	3,708	4,837	20,676	29,520
Education &c.	8,367	1,639	11,863	5,601	27,470	127,440
Employment	11,025	4,420	2,555	5,348	23,348	45,800
Energy	18,542	153	7,344	6,368	32,407	51,840
Environment	-	23	12,272	2,412	14,707	31,440
Foreign Affairs	22,322	-	11,415	4,490	41,783	98,880
OD Sub-Co.				3,556		22,080
Home Affairs	-	1,152	3,380	3,123	11,550	81,120
RR & I Sub-Co				3,895		65,280
Industry & Trade	31,006	-	4,316	8,074	43,396	62,160
Scottish Affairs	1,915	7,211	3,133	5,551	17,810	71,280
Social Services	-	753	11,255	3,844	15,852	158,160
Transport	3,072	19	2,675	6,827	12,593	51,840
Treasury & CS	-	-	13,784	8,150	24,006	70,560
T & CS Sub-Co				2,072		24,960
Welsh Affairs	-	472	3,621	5,740	9,833	83,520
TOTAL	108,298	24,382	99,534	84,046	316,260	1,143,120
AVERAGE	6,370	1,434	5,855	4,944	18,600	67,242

European Legisl.	2,385	-	1,542	741	4,668	60,960
PCA	-	-	-	1,571	1,571	13,680
PAC	-	-	-	18,193	18,193	175,560
SI (Sel. & Joint)	-	-	-	1,092	1,092	26,520
GRAND TOTAL	110,683	24,382	101,076	105,643	341,784	1,419,840
AVERAGE	-	-	-	5,031	16,275	67,611

COMMITTEE MEETINGS 1979-80

	Nos. of meetings	Percentage attendance
Agriculture	34	84
Defence	43	75
Education &c.	45	79
Employment	32	74
Energy	35	77
Environment	37	69
Foreign Affairs	34	81
OD Sub-Committee	27	87
Home Affairs	32	91
R R & I Sub-Committee	34	91
Industry & Trade	31	84
Scottish Affairs	36	87
Social Services	34	78
Transport	45	73
Treasury & CS	45	92
T & CS Sub-Committee	21	75
Welsh Affairs	36	82

European Legislation &c.	46	64
POA	19	54
PAC	65	65
Selection	39	67
Sound Broadcasting	7	69
Statutory Instruments	43	62



V. M. P.

Treasury Chambers, Parliament Street, SW1P 3AG

Rt Hon Francis Pym
Chancellor of the Duchy of Lancaster
Privy Council Office
Whitehall
London SW1A 2AT

20 May 1981

Francis

SELECT COMMITTEE REQUESTS

In Geoffrey Howe's absence abroad, I am replying to your letter of 14 May in reply to his letter of 16 April. I have also seen a copy of Mark Carlisle's letter of 11 May.

I am glad we are agreed that the normal procedure in dealing with requests from Select Committees to departments other than those they mark should be to send in a consolidated reply from the lead department. I am sure this is necessary to minimise the risk of crossed wires between departments. I had hoped we might persuade the Committees themselves to work through their lead department. However, I accept your judgment that now is not the time to make a formal approach to the Liaison Committee, though this is a possibility we shall have to keep in mind should we encounter difficulties in getting committees to accept consolidated replies. In the meantime I am grateful for your proposal to mention the Treasury's particular difficulties to Edward du Cann. We can but hope that he will be able to influence his fellow Committee chairmen.

Mark Carlisle has emphasised that, to a considerable extent, it is within our own hands to ensure that the Government does not inadvertently speak with more than one voice in its dealings with Select Committees. There will undoubtedly be occasions (though we should seek to minimise them) where departments other than the lead department will be required to submit evidence directly to one Select Committee or another. In those instances not only should we ensure proper consultation with the lead department before submitting evidence but we must particularly beware of Committees intruding on the sensitive area of interdepartmental discussions.

Copies of this letter go to other members of the Cabinet and to Sir Robert Armstrong.

L. Brittan

LEON BRITTAN

Mr Townley
Mr Hyde

Paul

19 May 1981

✓
MAP

Dear Mark,

You wrote to me on 11 May about Geoffrey Howe's letter to me of 16 April concerning instances where Departmental select committees seek evidence from Departments other than the one they mark.

As you will have seen from my reply to Geoffrey Howe of 14 May, I agree that in cases where a select committee approaches more than one Department for evidence in connection with a particular enquiry we should normally seek to reply in the form of a co-ordinated reply with a single Department in the lead and responsible for ensuring the overall consistency of the reply.

I am confident that Departmental Liaison Officers are alert to this problem. As you point out, however, difficulties can arise if it is not apparent from a select committee request for evidence that more than one Department has been approached. The House authorities have been reminded informally of the Government's concern in this matter, and I hope that Clerks will in future remind their committees in such cases that each Department needs to know which others have been approached for memoranda.

I am sending copies of this to the recipients of your letter.

Francis Pym
J.P.

FRANCIS PYM

The Rt Hon Mark Carlisle QC MP
Secretary of State for Education and Science
Elizabeth House
York Road



MAD.

with compliments

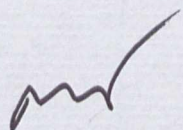
Private Secretary to
CHANCELLOR OF THE DUCHY OF LANCASTER
68 Whitehall London SW1A 2AS
Telephone 01-233-7113

PRIME MINISTER

Several Departments have expressed concern about the continuing volume of work required for Select Committees. The Chancellor is particularly anxious to limit the number of occasions on which several Departments are asked for evidence on matters in which they do not take the lead. The Treasury is, naturally, the main victim of this practice.

You should perhaps be aware of the attached exchange of correspondence. The Chancellor asked the Leader of the House to suggest that the Liaison Committee should try to achieve some limiting of this practice, but Mr. Pym hopes to achieve some improvement by more informal approaches.

MAR



15 May 1981



Chancellor of the Duchy of Lancaster

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

14 May 1981

Dear Geoffrey,

You wrote to me on 16 April about the problems which could arise, particularly for the Treasury, if Departmental select committees made a practice of asking for evidence from Departments other than those they mark.

I share your concern over this and I appreciate that the Treasury, in particular, is vulnerable to demands from the committees that mark other Departments. Of course, there are bound to be instances where a committee must inevitably seek evidence from more than one Department. But I am sure it is right, as you suggest, that, wherever possible, a consolidated reply should be sent in by the lead Department.

On the other hand, I have considerable misgivings as to whether a formal approach to the Liaison Committee to introduce the guidelines you suggest might not have the opposite effect to what we want. In strictness, the Liaison Committee has no formal power over the Departmental committees, who can each independently interpret their terms of reference and decide from whom they wish to seek evidence. If we ask the Liaison Committee to impose new guidelines, the committees might well close ranks against what they might regard as an attempt by the Government to limit their methods of enquiry. In any case each committee is bound to be suspicious of any other committee which appears to be encroaching on its territory. To that extent we can reasonably rely on the committees acting to some extent as a check on each other in this respect.

I would prefer therefore, at least at this stage, and unless, for example, committees persistently refuse to accept consolidated replies, to avoid making a formal approach to the Liaison Committee.

Cont.../

The Rt Hon Sir Geoffrey Howe, QC, MP
Chancellor of the Exchequer
Treasury
Parliament Street

I understand that officials have already taken up informally with the Clerk of Committees the need - where a committee has asked more than one Department for evidence - for the committee to ensure that each Department knows which others have been asked for memoranda. I hope that this will lead to more consistent practice by committees in this respect. In addition I would propose to seek an opportunity to mention to Edward du Cann the Treasury's particular concern that committees should not make a standard practice of asking for Treasury evidence unless there is a clear necessity for them to do so.

I am sending copies of this to the recipients of your letter.

John R. C. C.

Francis Pym

FRANCIS PYM



✓ MJD

DEPARTMENT OF EDUCATION AND SCIENCE

ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH

TELEPHONE 01-928 9222

FROM THE SECRETARY OF STATE

The Rt Hon Francis Pym MCMP
Chancellor of the Duchy of Lancaster
Privy Council Office
Whitehall
LONDON SW1A 2AT

11 May 1981

Dec. Francis,

SELECT COMMITTEE REQUESTS

Geoffrey Howe wrote to you on 16 April expressing his concern about approaches by Select Committees to Departments other than that which one might expect to be in the lead on a particular enquiry.

The Select Committee on Education, Science and the Arts have recently written to the Departments of Industry and Employment inviting them to submit memoranda, and requesting officials to give oral evidence, on their enquiry into the secondary school curriculum and examinations. DES Ministers and officials are, of course, in the lead in giving evidence on this enquiry. The Committee approached these other Departments without informing my Department. The letter of invitation ambiguously referred to suggestions I had made in a totally different context at a certain stage about possible areas of enquiry by the Committee and as an apparent justification for their approach to these other Departments. My officials will be holding discussions with these colleagues to ensure the consistency of the Government's evidence on this enquiry.

I share Geoffrey Howe's concern and support his proposal that Committees should normally approach only their lead Department, specifying other Departments they might wish to consult. But we also need to act within Whitehall to reduce the risk of Government inadvertently appearing to speak with more than one voice.

First, we need to make quite sure that the network of nominated Departmental Liaison Officers picks up all cases where a Select Committee seeks evidence from a Department other than the lead Department.

Secondly, I believe we need to be ready in particular cases to decide whether it is appropriate for a department to agree to submit memoranda or give oral evidence on a topic where another Department is obviously in the lead. It will not always be easy to distinguish those occasions where a Department is asked to comment on policy which clearly falls within another Department's area of responsibility (to which I believe it should not agree) from those where a Department is asked to judge the effect of another Department's policy on its own area of responsibility (where I would not see the same sort of objection). There will also be circumstances where a particular topic is related to the responsibilities of more than one Department. But we shall be most likely to reach a sensible decision on this type of case if it is agreed that when a Department is asked to submit evidence on a subject where it is not the lead Department it should agree only after consultation with the lead Department, the Ministers concerned being brought in as necessary.

Copies of this letter go to other members of the Cabinet and to Sir Robert Armstrong.

James eric

Mark

MARK CARLISLE



Parhamed
PRIVY COUNCIL OFFICE
WHITEHALL LONDON SW1A 2AT

29 April 1981

Chancellor of the Duchy of Lancaster

010
Dear Nick,

The Chancellor of the Duchy was recently approached by the Speaker about the tendency of some Ministers to turn their back on the Chair when at the despatch-box. The Speaker was keen to emphasise the need for Ministers to address the Chair when speaking.

The Chancellor of the Duchy would like to bring this matter to the notice of his colleagues and I am therefore sending copies of this letter to the Private Secretaries to Members of the Cabinet. I would be grateful if they in turn would draw it to the attention of other Ministers in their departments.

Copies go also to Murdo Maclean and David Wright.

Yours ever,
David

D C R HEYHOE

Nick Sanders Esq
10 Downing Street
LONDON SW1



Parliament
MAP to see

Treasury Chambers, Parliament Street, SW1P 3AG

01-233 3000

16 April 1981

The Rt Hon Francis Pym MC MP
Chancellor of the Duchy of Lancaster
Privy Council Office
Whitehall
LONDON SW1A 2AT

SELECT COMMITTEE REQUESTS

cc (87) 15th Item 1

Following our discussion on Select Committees at Cabinet last Thursday I understand that you will try to speak to Edward du Cann in the near future. I think it would be timely if you could engage him, qua Chairman of the Liaison Committee, on a particular point that has been causing difficulty not only for the Treasury but for other Departments as well.

You may recall that our settled policy has been that approaches from Select Committees should be fielded where possible by the lead Department which would then be responsible, in consultation with other Departments as appropriate, for presenting a unified Government response. Apart from the desirability of avoiding the unnecessary work entailed in individual Departments liaising with different Committees, we must aim to preserve the unity of Government policy and minimise the risk of (no doubt unintended) differences in tone and approach being presented to Committees on the same subject by different Departments. The Committees themselves will certainly be looking out for these, particularly in cases where they think they can detect an inter departmental dispute. A further particular consideration on my part, of course, is concern to ensure that the Treasury are not deluged by requests from other Committees on the grounds that in some sense the Treasury have an interest in almost anything they happen to be enquiring into.

/Over the past year



Over the past year the Treasury have several times been approached by other Committees. I wrote to Norman St John Stevas about this on 12 March and 29 May last year. But it was then clear that an approach to the Liaison Committee to urge that Select Committees should normally deal with the Government only through their own Departmental counterparts would not be appropriate. However, I suggested that requests to the Treasury from Select Committees other than the Treasury Committee itself should be handled as far as possible by the Department in the lead in consultation with the Treasury.

The arrangements have not worked too badly. However, during the last month we have received a deluge of new requests - from the Energy, Employment and Industry and Trade Committees. (I understand that the Employment Committee have, in fact, written in similar terms to a large number of other Departments.) This seems to mark a worrying new pattern and one that threatens to generate a great deal of additional work in time-consuming inter-Departmental discussions as to how particular requests are to be handled. In the event my officials have so far referred both the Energy and Industry and Trade Committees to the lead Departments with a view to their preparing the Government's response in consultation with the Treasury. The Energy Committee have accepted this but we await the Industry and Trade Committee's reaction.

The Employment Committee's requests may prove more difficult to handle since the Treasury are only one of many Departments approached. The Committee appear to have written round to various Departments essentially to ascertain how employment considerations impinge on their activities and decisions. My officials are suggesting that if possible a unified Government response should be presented through the Department of Employment. But it is not yet clear whether this will prove feasible. We may find ourselves putting in at least some separate Departmental responses. In this event we shall certainly want to avoid the impression getting around that this will constitute the normal Government reaction in such cases.

I doubt whether we should either want to or, indeed, prove able to suggest formal guidelines governing Departmental responses to Select Committee requests of the type discussed above. But if our informal procedures of consultation between

/Departments are not



Departments are not to break down under the strain of divergent and unco-ordinated Committee requests it would be helpful if we could provide at least some informal guidance to the Liaison Committee about the best way to approach Departments.

The main thrust of our guidance should, I think, be that Committees should wherever possible approach only their lead Department specifying, if they wish, other Departments they would like to be consulted. If they followed this advice they would not lose anything (since, after considerable effort on our part, this is what they generally get now anyway) and the task of co-ordinating the Government's response would become an easier, more orderly and more efficient one. If approaches to other Departments seem to them absolutely unavoidable, they should also make clear to any Department approached which other Departments are similarly being approached.

Of course, we shall need to present this to Edward du Cann in a positive light in view of the Liaison Committee's sensitivity to any suggestion that the Government are trying to restrict Select Committees' access to information. You will no doubt have your own views on how this might best be done. But might I suggest that you might emphasise to du Cann that the Committees gain nothing from the present practice since, even if replies originate from different Departments, there is no question of playing off Departments against each other. We are bound to present a unified Government response. Moreover, a more systematic approach by the Committees could work to their benefit: showering the Government with unco-ordinated approaches and requests is a waste of time and effort which might be better spent actually trying to answer the Committees' request.

I hope you will see your way to pursuing this with Edward du Cann. Although it is only one aspect of our relations with the Committee, it has to be seen in the context of the total burden placed on Government which has been particularly heavy here in the last few weeks. You may not wish on this occasion to mention the wider question of the overall burden of work entailed by the Committees. But it is, of course, the background to the concerns I express in this letter. It seems to me that wherever possible we must seek to lighten the load and the Committees, in their own interests as well as ours, should be asked to help us to do so.

In view of our discussion, ~~yesterday~~ in Cabinet, I am copying this to Cabinet colleagues and to Sir Robert Armstrong.

A handwritten signature in dark ink, appearing to be 'G. Howe', written over a horizontal line.

GEOFFREY HOWE

FILE

Parliament

VLS

cc CDLO
CO
LPO

14 April 1981

Thank you for your letter of 8 April about the recommendations in the second and fourth reports of the Select Committee on Education, Science and Arts.

The Prime Minister has seen the proposed response, and in particular the section dealing with the recommendation about Ministerial responsibility for information policy.

She is content that this should now be published as a White Paper.

I am sending copies of this letter to Nick Huxtable (Chancellor of the Duchy's Office), David Wright (Cabinet Office) and Jim Buckley (Lord President's Office).

M. A. PATTISON

Miss Mary Giles,
Department of Education and Science.

SK



Department of Education and Science

Office of Arts and Libraries
From the Minister for the Arts

Elizabeth House York Road
London SE1 7PH

Telegrams Aristides London SE1
Tel: 01-928 9222

C A Whitmore Esq
Principal Private Secretary
10 Downing Street
LONDON
SW1

Prime Minister

*You should see, in particular,
paras 7-9, on ministerial
responsibility for information policy.*

*Content with line proposed in draft,
and agree to*

8 April 1981

publication as a White Paper?

*Yes
no*

Dear Clive,

MA 13/x1

The Second and Fourth Reports of the Select Committees on Education, Science and Arts contained conclusions and recommendations concerning a number of matters relating to the British Library and to Government policy in respect of library and information services. Since the Fourth Report was published last October, we have been considering, with the other interested Departments, the form of the Government reply.

I now attach a draft of the reply proposed by Mr Channon after consultation with other Ministers concerned; he would like to publish it as a White Paper as soon as possible, in view of the time which has elapsed since the Fourth Report was published, and I write to seek your authorisation for this. We do not consider it necessary for any special arrangements to be made for the reply to be debated in the House.

Mr Channon agrees with the Select Committee that the handling of information, and the provision of access to it, is of importance to all aspects of society, and to our economic well-being, and that this importance is becoming widely recognised. The reply proposes a modest step forward in dealing with these issues, but it may be necessary to consider further steps later.

I am copying this letter and the draft reply to the Chief Press Secretary and to the Private Secretaries to the Leader of the House and the Secretary to the Cabinet. I am also copying it to the Private Secretaries to members of the Cabinet, for information.

*Yours ever
Mae Giles*

MISS MAE GILES
Private Secretary

INFORMATION STORAGE AND RETRIEVAL IN THE
BRITISH LIBRARY SERVICE

Observations by the Government on the Second and Fourth Reports
from the Select Committee on Education, Science and Arts
Session 1979-80

Introduction

1. In their Second and Fourth Reports of the 1979-80 Session the Select Committee reached conclusions and made recommendations concerning a number of matters relating to the British Library and to the storage and retrieval of information. The Government have given careful consideration to these conclusions and recommendations.

Second Report

Conclusion

That the services provided by the British Library to its users at home and abroad will substantially and rapidly deteriorate unless a decision is taken very quickly to proceed with phase 1 of the new building.

2. The Government announced on 28 November 1980 that a start would be made on this scheme as soon as possible.

Fourth Report

Recommendation

The problem of the implications for copyright of the new technology should be treated with the necessary urgency

3. As the Committee have stated, the responsibility for copyright matters rests primarily with the Department of Trade. It is the view of that Department that the copyright issues raised in the

Select Committee's Report can only be dealt with satisfactorily within the context of the overall review of copyright law which is now in progress. These issues will be discussed in a Green Paper shortly to be issued by the Department. The Government share the Select Committee's view that the development of information provision should not be hampered by copyright problems; the matter will be examined urgently by the Office of Arts and Libraries in consultation with other Departments and organisations concerned, and with the help of the Library Advisory Council.

Recommendation

The report on the future development of libraries at present being prepared by the Library Advisory Council (England) should be published as expeditiously as possible to assist the achievement of a national library policy

4. The Council hopes to submit its next report on this subject in a few months' time. The report will be published as expeditiously as possible.

Recommendation

The issues concerning the relationship between the cooperative library groups and the British Library should be given renewed attention by the parties concerned, and should be a subject for consideration by the network advisory commission which we recommend below

5. The Cooperative Libraries Group has been wound up and a new body, the Cooperative Automation Group, has been formed whose membership includes the British Library, the library automation cooperatives, the Standing Conference of National and University Libraries, the Library Association, the Committee of Polytechnic Libraries and ASLIB. Its terms of reference are broadly to secure the most effective articulation of the services provided by the British Library and the library automation cooperatives and of the plans for future development of these services. Progress so far has been promising; among other developments the British Library has

reviewed its policy in respect of royalties on computerised bibliographic records and henceforth will make no charge for the copying and re-use of these records by individual libraries, groups of libraries or bodies supplying services to libraries, subject to certain conditions being satisfied by those organisations.

Recommendation

An automated information network system should be developed, and coordinated on a national basis

6. The various automated information services that already exist, or are being developed, are evolving in response to specific information needs in particular fields or sectors of the economy. As the Select Committee recognises, different methods and approaches will be appropriate to meet different needs, and one essential requirement is that means should exist to link the various services into a system which permits ready movement by users between one service and another. In some instances the linkages are best provided centrally, in others the adoption of flexible arrangements by the user may be more efficient and economical. In either case the development of appropriate computer programs (software) is possibly the most important factor in achieving the necessary interconnection, and a good deal of effort is already being devoted to this with the support of the departments primarily interested in the fields concerned. The British Library has a general interest in watching and encouraging this process, and the Office of Arts and Libraries intends to take up with the departments and interests concerned any serious difficulties identified by the Library so as to ensure that special attention is given to them without delay.

Recommendation

As soon as possible the Government should appoint a Minister of Cabinet rank to take responsibilities for information policy, and should provide him with the necessary staff, as far as possible by appropriate secondments from within Whitehall departments

7. The term "information policy" is very wide and has no precise definition. In the context of this reply to the Select Committee, it is taken to exclude policy on such matters as the arrangements for the presentation of Government policy and access to official records.

8. The Government intend to follow as far as is practicable this principle running through the Select Committee's report, that libraries and information services should be regarded as a single area of concern. While many such services have grown up within libraries or sprung from them, others have developed more directly from the special needs of user institutions, for example in respect of scientific and technological information. Government responsibility for services of the latter kind clearly ought to remain closely linked to that for the related technological services. A number of departments are involved, including the Department of Industry where the Prime Minister has designated a Minister of State to be responsible for information technology. It would therefore be inappropriate to concentrate executive responsibility in the hands of one Minister. Close consultation will however be required between the Ministers and Departments concerned on policy for the development and operation of both kinds of information service.

9. In the view of the Government any national policy on information services must be of a very general and flexible kind, allowing the maximum freedom to individual departments to maintain and develop services for particular groups of users in the most appropriate way and in the light of a close knowledge of users needs and the information resources available. It follows that individual Ministers must remain free to take whatever decisions they consider necessary in their particular fields. To the extent that it may be necessary from time to time for an initiative to be taken on a matter not within a defined Departmental interest the Government will look to the Minister for the Arts to raise the matter with those of his colleagues who appear to have an actual or potential interest in the matter so that appropriate action can be taken. In order to provide the Minister for the Arts with expert advice

in this respect, steps are being taken to supplement the services of the professional staff of the Office of Arts and Libraries.

Recommendation

The Government should set up as a matter of urgency a Standing Commission representative of the wide range of interests concerned with the provision of information particularly by telematic means, to example on a continuing basis the problems of developing a national information network, to formulate national requirements, to relate them to international developments, to investigate possible solutions, and to make proposals for their implementation by appropriate bodies.

10. The Government accept that authoritative advice from those concerned with the provision of information, together with a continuing examination of the relevant problems, are essential to ensure a properly-considered Government approach to the future of information services. It would not be appropriate, in the view of the Government, to establish for this purpose a new and separate body dealing only with information services. The Library Advisory Council for England, which already advises the Minister for the Arts on a wide range of matters in the library and information fields, and is engaged on an urgent study of future development problems including those of cooperation and the use of new technology, appears to the Government to be capable of adaptation to provide comprehensive advice on the functions now under discussion. The Government intend therefore to review, and extend as appropriate the membership and functions of the Library Advisory Council. Its title will be changed to reflect more fully the range of its functions. The Council will be encouraged to establish machinery for expert consideration of special problems in the information field. Its work will be complementary to that of the Interdepartmental Coordinating Committee on Scientific and Technical Information, which has a particular concern for specialised information advisory services both within and outside Government, in the areas of interest of member Departments. The Committee will

be encouraged to extend its concern to services other than those provided by Government, within the areas of interest of member Departments. Arrangements for considering matters in this field on a coordinated United Kingdom basis where necessary are being discussed between the Departments concerned.

610

Parliament



Department of Education and Science
Elizabeth House York Road
London SE1 7PH
Telegrams Aristides London SE1
Telephone 01-928 9222 ext 2488

✓
MS

E B C Osmotherly, Esq.,
Civil Service Department,
Whitehall,
London, S.W.1.

13th March 1981

Dear Edmund

SELECT COMMITTEE ON EDUCATION, SCIENCE AND THE ARTS: SCIENCE SESSION ON
25th MARCH 1981

I now attach two copies of the supplementary briefing which we have prepared,
and which is going into Mr Neil Macfarlane's week-end box.

I think a good deal of the material covers, in fact - and this arises from
all the indications we have had of the Committee's main sphere of interest -
matters in the field of the machinery of government broadly defined; and I
should be very grateful for your careful scrutiny accordingly. Perhaps I
might ask you also to be good enough to obtain any clearance that may be
necessary from Sir Ian Bancroft's office. As you know, I was present when
he gave evidence to the Lords Sub-Committee on Science and Government on
25th February; and I think I have substantially followed the lines of his
evidence. Where, in one or two specific instances, I have ventured to go a
little further, it has been with the intention of putting Mr Macfarlane into
a position of being able to give some genuinely new information without breaking
any conventions or reticences which really matter. But no doubt you will
tell me if I have erred.

And so, I hope, will D. J. Wright, in Sir Robert Armstrong's office, to whom
a copy of this letter and the briefing also go, so far as the Cabinet Office
angle is concerned.

In addition, copies go to Nick Sanders at No. 10; to John Ashworth at the
CPRS - with grateful acknowledgment for, in particular, the material on
foreign comparisons, which is largely drawn from his briefing for Bancroft;
and to Perry Goodman at the Department of Industry.

We are having a briefing meeting with Mr Macfarlane on Wednesday, 18th March,
at 3 pm; so a line or word on the telephone before then would obviously be
most helpful. I will on the other hand take silence as denoting no comment.

Yours sincerely
Charles Regan

(C M REGAN)

SCESA Session on Science, 25th March 1981

SUPPLEMENTARY BRIEFING

General

The Parliamentary Secretary and DES officials will be joined at the Committee's session by Mr Norman Tebbit, Minister of State with responsibility for (inter alia) research and development matters in the Department of Industry, and D.I. officials. A copy of the D.I. memorandum for the Select Committee is attached for the Parliamentary Secretary's information. [Annex A.]

Focus on the supplementary briefing

2. The indications are that interest among members of the Select Committee may concentrate on Section F of our memorandum (paragraph 22 onwards) on the organisation and co-ordination of scientific research within the U.K. Government machine. The main part of the following notes is therefore directed to specific points which may be raised on that Section; but there are also some other notes.

- (i) Q. Why is there no longer a specific non-departmental Minister performing the co-ordinating role in relation to science policy which was undertaken by the Lord Privy Seal in the previous administration?

[N.B. Some members of the Committee may be misled by an erroneous organisation chart produced in the Science Section of the House of Commons Library into believing that the Lord President (as the Senior Minister in charge of the Civil Service Department, still performs this function).]

- A. The organisation of the machinery of government on this, as on other, matters, is essentially one for each administration, and more particularly each Prime Minister, to arrange as seems to it best and most convenient in the particular circumstances of the time. The particular significance of the role in this matter in the previous administration of the Lord Privy Seal was that he was a senior non-departmental Minister, and that he had day-to-day responsibility for the department - the Civil Service Department - which is charged with machinery of government matters. In the present government my right hon. Friend the Prime Minister has decided that it is preferable that she herself should, where ultimately necessary, assume a co-ordinating role; and of course it is the case that, uniquely, she adds to her ultimate responsibility for machinery of government issues her own scientific training and expert knowledge in the field.

(ii) Q. Your memorandum says, in paragraph 30, that no occasion for the Prime Minister to exercise her co-ordinating function has arisen in the nearly eighteen months since she announced (in October 1979) that she was assuming it. Is it not therefore a theoretical rather than a real function?

A. The fact that an occasion for my rt. hon. Friend the Prime Minister to intervene directly in science policy matters has, as you correctly say, not arisen in the last eighteen months is by no means an indication that the function is not there, or is not real. It seems to me, if I may say so with respect, rather to be an indication that the system of departmental Ministers having each his own responsibilities as described in paragraph 22 of our memorandum, is working smoothly and well.

(iii) Q. I find your description of our present system, as set out in Section F of your memorandum, distinctly complacent. Is it not, for example, the case that no less a figure than Lord Todd, the late President of the Royal Society, criticized it quite strongly last December?

N.B. A copy of Lord Todd's Anniversary Address to the Royal Society, given on 1st December 1980, at the end of his five-year period of office as President, is at Annex B. It should be noted that Lord Todd was Chairman of the former Advisory Council on Scientific Policy from 1952 to 1964, and thus fully identified with earlier organisational patterns.7

A. I have of course studied Lord Todd's anniversary address last December to the Royal Society with great interest. These are matters on which it is clearly possible to have more than one view, and when Lord Todd says - as he does - that he believes that it would be in the best interests of science for responsibility for it and for the Research Councils to be removed from my Department and to be transferred, with other matters, to a senior and influential Minister without Portfolio, then I am bound to say I disagree with him. I do so with great respect for his eminence and for his experience - but I would add that one major argument which Lord Todd adduces in support of his view - namely, that science must inevitably under the present arrangements play second fiddle to education in my Department, I simply do not accept. My own specific Ministerial responsibilities in the Department which lead me to be here before you to-day; the recent administrative reorganisation at very senior level within the Department; and the steadiness of the figures for the Science Budget as shown in paragraph 8 of the Memorandum, at a time when there have to be substantial cuts across the whole of educational expenditure, all, to me, bear clear witness to the contrary.

(iv) Q. Is not there a strong argument for reviving - as Lord Todd's Anniversary address to the Royal Society last December indeed implied - the office of Chief Scientific Adviser to the Government?

A. I know that this is quite a widely held view. But I think that patterns of organisation must have regard to the individuals and personalities who have to operate them as well as to formal frameworks and structures; and one has then to draw what may from time to time be the most suitable balance. And so I would merely say that I think that what seemed most apt to the contribution which Lord Zuckerman made as Chief Scientific Adviser between 1964 and 1971, and then his successor, Sir Alan Cottrell, between 1971 and 1974, would not necessarily be most suitable to the circumstances of 1981. Indeed, it seems to me noteworthy that, even as long ago as 1974, the decision was taken to replace Sir Alan not by another Chief Scientific Adviser but by a Deputy Secretary, in the Cabinet Office (Dr Robert Press) responsible for Science and Technology.

(v) Q. But Dr Press was replaced on his retirement in 1976 by the Chief Scientist in the Central Policy Review Staff at only Under Secretary level; and now it has just been announced that that individual, Dr John Ashworth, is to become Vice-Chancellor of the University of Salford. As far as the advice to the Government is concerned, is it not down-hill all the way?

A. I don't think you should assume that at all. I think that the contribution which a particular individual can make in these matters is much more related to his abilities, experience and knowledge than to his formal position or rank or grade. But, that said, let me pay a sincere tribute to the work done by Dr Ashworth since his appointment in 1976. I am delighted that it has been recognized by his appointment to the Vice-Chancellorship of a major new university such as Salford. I am sure that it will not be easy to replace him adequately at the CPRS.

(vi) Q. Other countries, in particular France, Germany and Japan, have Ministries of Science and/or Technology. We used to have a Ministry of Technology, but do so no longer. What in your view makes our present practice right, and that of the other countries wrong?

A. The first, general, point I would wish to make in reply to that is that cross-national comparisons always carry their dangers in any sphere of administrative practice; and the science and technology area is no exception.

The French certainly have a very centralised system, which culminates at the top in the person of Mr Pierre Aigrain, who is functionally a Minister for Science. He has under him what is called a Delegation-Générale for Research, Science and Technology; and also, at one remove, the National Centre for Scientific Research, which is equivalent, in effect, to our Research Councils.

But I have discussed these arrangements quite recently with M. Aigrain - he was our guest in this country last month, and I saw him again in Paris only last week. The fact is that, in part, the French arrangements work well because of M. Aigrain's own personal position, and his close relationship with President Giscard and other French Ministers, including in particular the Minister for Industry. Secondly, the French are in fact now themselves also in process of working towards a greater degree of decentralisation, in particular on the lines of ^{the}customer/contractor principle.

Germany has it is true a Federal Ministry of Research and Technology, with a substantial Budget for large capital projects of its own. But it has also, of course, the Max-Planck Society and the German Research Society which receive funds from the Ministry; and it has the eleven Länder governments, which also help to finance research and technology. So the essence there is a complicated system, and one which takes account of the Federal nature of the government in West Germany.

While I am referring to Federal systems, perhaps I can also briefly mention the United States. There again - although, of course, the

/pattern

pattern of administration in science matters under President Reagan has by no means yet finally settled down - the nature of the Federal Government makes it likely that the decentralised system which has hitherto operated will continue. It is in many ways not dissimilar from the United Kingdom one, though some of the major departments, such as Health and Human Services, do themselves fund programmes in support of the basic sciences in their respective fields on quite a large scale.

Finally, Japan does of course have a Ministry for International Trade and Industry which, through its Agency for Industrial Science and Technology, in particular, exercises a very powerful central influence in the Japanese Government structure, and permeates much of Japan's industrial performance. Whether that is a good or bad thing I would not care, here, to speculate; the major point seems to be the fundamentally different administrative and cultural ethos which effectively distinguish^{es} Japanese society from almost any other in the world.

Thus, the overall lesson which I would draw from the overseas comparisons which you have asked me to make is that there is no single pattern in these matters which is necessarily right, or effective or better than another; everything depends on the particular circumstances, and administrative practices and traditions, as well as personalities, of the country concerned. But I certainly do think that our own arrangements are ones which suit us; and that they work effectively.

(vii) Q. You have referred in paragraph 28 of your evidence to an inter-departmental committee at Permanent Secretary and Chief Scientist level which exercises a general strategic oversight. Can you tell us more about this?

[N.B. In her letter to Mr Ian Lloyd MP of 20th August 1979, which was subsequently substantially published in the "New Scientist", the Prime Minister said that "since 1976 a committee of permanent secretaries and chief scientists has provided interdepartmental co-ordination of science and technology matters at high official level....". The Committee - the Official Committee on Science and Technology (STO) - meets rarely; its last meeting was early in 1980.]

A. I would not of course wish to go outside the normal conventions in replying on this matter; but I think the existence of the Official Committee is quite well-known. The terms of reference are very broad - basically to co-ordinate and keep under review the scientific and technical aspects of government policies. The Committee operates under the auspices of the Cabinet Office, and reports to Ministers as appropriate. It is under the chairmanship of the Secretary to the Cabinet.

(viii) Q. You refer in paragraph 28 of your memorandum to "ad hoc interdepartmental machinery being established where this is required for particular purposes." Could you give us any examples?

A. Certainly. Let me cite, for example, the fact that a Group at senior level was established under Dr Duncan Davies, the Chief Engineer and Scientist at the Department of Industry, for the purpose of working out the Government's response to the report on Biotechnology which had been jointly made last year by the Advisory Board for the Research Councils, the Advisory Council for Applied Research and Development and the Royal Society. The work of the Group resulted in the White Paper on Biotechnology which the Secretary of State for Industry presented to Parliament at the beginning of this month. Again, there exists a Chief Scientists' Committee on Energy Research and Development. As a third example, there was a senior level working group established, under the chairmanship of the Permanent Secretary at the Ministry of Agriculture, Fisheries and Food, whose deliberations covered the commissioned research relationships between that Department and the Agricultural Research Council. The results are set out in paragraph 17 of our Memorandum. Or, as a final example, there is a senior level official committee charged with responsibility for information technology matters.

(ix) Q. You refer in paragraph 27 of your memorandum to day-to-day interaction and informal co-operation at working level of those concerned with scientific research. Does this really mean anything, or is it just a recipe for things falling between all the stools?

A. I think what we say on this point in the memorandum represents a vivid reality which all of us, both Ministers and officials, are involved in and experience all the time. In particular - and this is where I speak at the very first hand, my contacts and those of my officials with the five research councils are continuous and comprehensive. And another factor which I would stress is that informal co-operation does not in any way mean lack of onus for taking the initiative more formally on wider matters. There is throughout Whitehall the well-established doctrine of the "lead" department - that it is to say the department with the primary or greatest functional responsibility for a particular subject being charged with the task of initiating, and co-ordinating, and seeing through, action on a particular item of business, with the other departments concerned co-operating and feeding in their contributions. A good example is the recent White Paper on Biotechnology [to which I have already referred]. In relation to that the Department of Industry was the lead department, and so it was the Secretary of State for Industry who presented the White Paper to Parliament.

(x) Q. How do you view the role of the ACARD?

A. I have no overall responsibility for ACARD, which operates from the Cabinet Office, and whose reports are made to Ministers collectively, with the appointments to the Council being made by the Prime Minister. Nonetheless, of course, I am conscious of the important role played by the Council in the field of the application of the results of research and development, all the more since this is a field in which there can be no gainsaying that our performance in the U.K. is from time to time less than first-rate.

For this reason, I attach considerable significance to the Council's reports. We mention eight which it has made over the past three years in paragraph 29 of our memorandum - and I look forward to the Council's further contributions. I see its work, in the sphere which it covers, as being very much in parallel with the work done by the Advisory Board for the Research Councils in the sphere of basic scientific research; and the Committee will be aware that one practical means of liaison is cross-membership. The chairman of ACARD is also a member of the ABRC; and the chairman of the ABRC is also a member of ACARD.

N.B. The formal terms of reference of ACARD are set out below:-

- "To advise Ministers and to publish reports as necessary on:
- i. applied R & D in the United Kingdom and its deployment in both the public and private sectors in accordance with national needs;
 - ii. the articulation of this R & D with scientific research supported through the Department of Education and Science;
 - iii. the future development and application of technology;
 - iv. the role of the United Kingdom in international collaboration in the field of applied R & D."
- 7

(xi) Q. What is the present state of the Rothschild customer/contractor principle?

A. I think we have dealt with this in Section C of our memorandum on commissioned research. The customer/contractor principle remains an important - indeed, a fundamental - part of our arrangements, as it has done since it first became operative following the 1972 White Paper - by a Conservative Government - on the framework for government R & D. And of course the principle was endorsed again in the 1979 White Paper of the last Labour Government; so this is not a matter of party political controversy.

Perhaps I should add, in case there is any doubt about it - and perhaps this is partly what you had in mind in your question - that the principle is clearly one which needs to be applied with a degree of common sense and flexibility, and regard for particular circumstances. This is why we have had, following Public Accounts Committee recommendations, the reviews referred to in paragraphs 16 and 17 of our memorandum. In the one case - that of the Department of Health and Social Security and the Medical Research Council - there has been a transfer back of money for biomedical research - about £14 million - from the DHSS to the Science Budget, and hence on to the MRC; in the other case, that of the Ministry of Agriculture, Fisheries and Food and Agricultural Research Council - the decision has gone against any transfer of money. As I say, I think I would call these sensible applications of the principle, rather than a modification of it or a departure from it in any real way.

(xii)

Q. What is your view of the present status of the Haldane principle?

A. I do not think that I can usefully say much on that topic. I am not - and my Department is not - and indeed no-one in Whitehall really is at the present time - operating the Haldane principle, if by that you mean, as I believe you do, the proposition that scientific research and development is to proceed as an activity of its own, and in its own right, entirely untrammelled by any departmental interference or policy considerations. I do not think we have in fact ever had that doctrine-which was, after all, enunciated as long ago as 1918 - in its pure form, though we have perhaps from time to time been a bit nearer to it than we are now. But the policy which holds the field now, clearly, and rightly in my view, is that set out in paragraph 25 of our memorandum. Applied science and technology are not ends in themselves but means of helping to achieve policy objectives and therefore associated with all the other policy strands which Ministers need to take into account in working towards those policy objectives.

(xiii)

Q. We are aware that the Report of the Committee, under the chairmanship of Dr Holdgate, which received the Scientific Civil Service, was published six months ago. What has happened since?

A. This does not of course lie within my departmental responsibility, but rather with my colleagues, the Ministers in charge of the Civil Service Department. Perhaps, however, I can briefly tell the Committee that the Government have not yet made a formal reply to the recommendations in the Report. The Civil Service Department asked those departments which employ the majority of scientists for their reactions and, on the basis of the replies which have been received, the Science Management Committee, which oversees the Scientific Civil Service within the government machine, has given advice on priorities to the Civil Service Department. No doubt those priorities will form the broad lines of the Government's response in due course. Beyond that I do not think I ought to go to-day.

[NB. Please see Annex C for further details as supplied by the Civil Service Department.]

(xiv) Q. How is "demand" conveyed to the research organisations under the system which you have described?

A. The brief, but I think, comprehensive answer to that question is that, under our free, diversified and deliberately devolved system, scientific research is generated from the ground upwards, rather than centrally downwards. It responds in large measure to the capacities, invitations and interests of the individuals working in what remains one of the leading scientific and academic communities in the world; and standards of excellence and peer group judgment are major factors in all that goes on.

Q. You refer in paragraph 6 of your memorandum to the decisions by successive Secretaries of State on the allocation of the Science Budget, in relation to the view of the ABRC that funds should be redeployed from what you call "big" science to more applied fields such as engineering. Can you elaborate on this?

*Yes. Perhaps I can best do so by referring to the published Third Report of the ABRC, which appeared in 1979. This said (in paragraph 48) that the Board had been concerned since its inception with the balance of support between 'big' science (high energy physics, astronomy, space and radio research) and other disciplines and had, since 1974, followed a policy of redeployment from 'big' science. The effect it describes is that SRC domestic expenditure on high energy physics and space sciences fell by some 33 per cent in real terms between 1973/74 and 1977/78. This had led amongst other things to the closure of the two UK accelerators for research in high energy physics, so that future work in this field would be concentrated in overseas facilities, principally CERN. It was intended that the work of other Research Councils should receive benefit from this redeployment policy, and also some aspects of the SRC's own work outside the 'big' science area. Thus, the Third Report points out (paragraph 50) that the SRC Engineering Board's share of total Science Budget expenditure increased by about 15 per cent per annum over the three years up to 1978.

To be held in reserve

/Some impediments to the policy - particularly so far as benefits were concerned - arose from the financial constraints to which the Report refers, and from which the Science Budget was not immune in the years in question, before the present Government's day. But the policy was followed for a period of years. More recently, as the memorandum says, it has been ended: the Board and the SRC considered that 'big' science expenditure could not be reduced further if the UK was to maintain a stake in these important areas. Guidelines announced last May for the period up to 1983/84 on the basis of the expenditure plans of Cmnd 7841 showed for the SRC a small projected positive growth rate in its base allocation of 0.1 per cent in 1981/82 and 0.6 per cent in 1982/83. The Board and we had to look again at the figure for 1981/82 in view of the changed expenditure plans, and the Board will be looking again at the later years in its forthcoming forward look. But the guideline figures serve to round off the illustration I was giving of the implementation of policy. 7

(xvi) Q. Your memorandum says nothing at all about scientific research for defence purposes. Is this because it is an entirely separate activity?

A. I think the first point to be made on scientific research work for defence purposes is that, by its nature, including its security and confidentiality implications, and by its purposes it must to some extent always be sui generis. Secondly, and following from that, I think that much the largest part of it is in practice probably applied research and development as much as, if not more than, fundamental scientific research. Thirdly, however, where the work does concern fundamental scientific research, the presence as an Assessor on the Advisory Board for the Research Councils of the Chief Scientist of the Ministry of Defence - that is Professor Sir Ronald Mason - serves to bring about co-ordination.

If I may just elaborate the point about the R and D aspects, I think it would be true to say that the overwhelming proportion of what the Ministry of Defence spends in this particular sphere is in fact devoted to financing development processes which are largely carried out in industry, and which are concerned not only with developing, but also with testing and documenting designs of equipment which is subsequently manufactured for defence use. That is clearly a very different kind of business from that which the Research Councils are in.

N.B. The above represents the public line. The Parliamentary Secretary will however be well aware that, in practice, defence research very largely remains a law unto itself within Whitehall.7

PARLIAMENTARY SELECT COMMITTEE ON EDUCATION, SCIENCE AND ARTS:
ENQUIRY ON SCIENCE POLICY

MEMORANDUM BY THE DEPARTMENT OF INDUSTRY

INTRODUCTION

1. The nation's science and technology (S&T) activity extends from education in the schools and universities, through basic research, applied research and development, to industrial production and marketing. The Department of Industry is mainly concerned with the application of science and technology to industry. But it is also concerned that enough basic research should be done in the universities and elsewhere to support the development of new technologies. Our schools, technical colleges, universities and professional institutions must provide the people needed by British industry to exploit science and technology for the greatest benefit of the UK economy. DoI's interests therefore touch most parts of the S&T chain - and in some areas there is very close involvement with other Government Departments, particularly the Department of Education and Science (DES).

2. This memorandum sets out the recent history of the development of DoI's S&T responsibilities and activities.

within the context of the organisation of Government S&T in the U.K. It describes DoI's policy on S&T and refers briefly to the Department's major activities undertaken as a result of this policy. It refers to DoI links with Government Departments, the Research Councils and the Universities.

Finally, it describes DoI's participation in S&T policy formulation in the U.K. and in the international fora. The Memorandum has been seen in draft by the Science Research Council (SRC) and by the Natural Environment Research Council (NERC).

BRIEF HISTORICAL BACKGROUND

3. There are a number of comprehensive historical accounts of

the way in which the organisation and management of Government science and technology have developed since the 1900s. An excellent published source is the "Government of Science in Britain".* The next few paragraphs, therefore, only sketch some of the significant events leading to DoI's current responsibilities for S&T.

4. The early foundation of Government involvement in science had been laid in the nineteenth century and early part of the twentieth century with the setting up of the Laboratory of the Government Chemist and the National Physical Laboratory. The period following the first World War saw very rapid growth in Government influence with the opening of further Government laboratories and the creation, with Government support, of the industrial Research Associations. At this time it was widely accepted that scientific research flourished best in an atmosphere free from political direction. Government science was administered through the Department of Scientific and Industrial Research (DSIR) which reported to the Lord President. The guiding philosophy derived from the Report of the Machinery of Government Committee chaired by Viscount Haldane of Cloane (Cmd. 9230, 1918). The "Haldane principle" said that responsibility for supervising research of general use should be "in the hands of a Minister who is in normal times free from any serious pressure of administrative duties, and is immune from any suspicion of being biased by administrative considerations against the application of results of the research".

5. Increasingly, over the next 20 to 30 years, and particularly after the Second World War, it came to be recognised that science, effectively applied to the development of products and processes, could be a major factor in economic growth. Close links with market needs were desirable if the best use was to be made of the results of scientific work. In this context, the Trend Committee in 1962/63 reviewed the organisation of civil science. It concluded amongst other

*Edited by J B Poole and Kay Andrews, House of Commons Library, Weidenfeld and Nicolson, 1971.

things, that DSIR's responsibility for promoting scientific research in the universities and its responsibility for promoting industrial research and development would become "too heavy a charge". The Trend Committee judged that these two responsibilities although interconnected, were inherently different in nature and purpose, and they recommended that this difference in function should be reflected in a difference of organisation. In the reorganisation that followed, DES took over responsibilities for basic science, while Government applied science functions were distributed over a number of Departments in accordance with their general responsibilities. Policy and support for industrial research was placed with the newly formed Ministry of Technology which included the United Kingdom Atomic Energy Authority, the National Research Development Corporation and the former DSIR Research Establishments. A subsequent merger with the Ministry of Aviation brought in the aviation and some electronics laboratories. A Council for Scientific Policy advised on the Research Council system; an Advisory Council on Technology dealt with the work in the Ministry of Technology.

6. Departments administered their S&T responsibilities in a variety of ways. There was no overall philosophy of Government applied R&D. But in 1971 the Rothschild Report on the organisation and management of Government research and development (Cmd. 4814, 1971) focussed attention particularly on the role of the Government as a customer for R&D. It proposed the customer/contractor principle as the basis on which all applied research should be conducted. Simply stated this was that:-

"The customer says what he wants; the contractor does it (if he can); and the customer pays".

This principle was already reflected in major areas of government R&D ; its extension to all government applied R&D was announced in a White Paper (Framework for Government Research and Development, Cmd. 5046, 1971). The policy was

generally reaffirmed following a review in 1979 (Cmnd. 7499). The same review describes (pages 22-24) DoI's organisation for S&T activities, which is essentially the same today although some restructuring of DoI's Requirements Boards is now being undertaken to enable them to operate more effectively.

DOI'S CURRENT POLICY FOR SCIENCE AND TECHNOLOGY

7. DoI's policy for science and technology has evolved within this broad framework of government policy. It recognises that industrial research must respond to markets and will be carried out primarily by industry. But DoI can assist this process by:--

- i) undertaking and supporting research necessary to underpin regulatory functions;
- ii) developing and accelerating the introduction of new technology;
- iii) supporting work at the early stages of R&D where there is uncertainty about who will recoup the benefits;
- iv) encouraging industrial innovation.

8. There is in the U.K. no nationally allocated sum of money with the title "Government Budget for Science and Technology" over which DoI fights for its share. Bids for funds for the support of industrial science and technology form part of the estimates of DoI and other departments. Specifically, DoI is responsible for the Scientific and Technological Assistance Vote and authority for the use of these funds derives from the Science and Technology Act (1965). There is some additional support to industrial technology under the Industry Act (1972). The allocation of funds to individual programme areas is determined, subject to constraints imposed by Parliament, within DoI and approved by the Secretary of State.

9. The funds are used for programmes which are broadly of three kinds:-

- i) support for specific areas of technology or for particular industries (e.g. the Microprocessor Applications Project, the Microelectronics Industry Support Programme, space technology and civil aeronautics).
- ii) support for more general schemes covering all areas of technology (e.g. the Requirements Boards, the Product and Process Development Scheme).
- iii) support for encouraging greater awareness of existing technology and its applications

Annex 1* describes the programmes in more detail.

10. Support for projects in industry is generally on the basis of grants of 25 per cent of the cost of the work or, less commonly, by cost shared contracts at a higher level of assistance. The emphasis is on the application of technology to products and processes, selected by firms, which can rapidly find a place in the market. The Microprocessor Applications Project and the Microelectronics Industry Support Programme are particularly designed to accelerate the introduction of these important technologies. The Product and Process Development Scheme is more generally available to encourage companies to invest more resources in development work and to launch innovations more quickly and effectively.

11. For work with a higher research content, the allocation of funds is made on the advice of the Research Requirements Boards. They cover a wide range of sectors and technologies. They are normally chaired by senior industrialists and have strong industrial representation. This ensures that industry's priorities and needs, as determined by the market, are reflected in the programmes of the Boards. They are the Departmental 'customers' (in the Rothschild sense) for the work which DoI commissions on behalf of industry. They spend

*"Research and Development Requirements and Programmes. Report 1979-80. Department of Industry"1980.

about one-third (£55 million) of the S&T budget and the money goes to support specific industrial projects; research of general value to industry in areas such as measurement technology, standards and quality control; and DoI's regulatory work. The contractors include the Department's own research establishments, the industrial Research Associations, individual firms, the Research Councils and, to a small extent, the universities. In recent years the Boards have put increasing emphasis on placing work in industry.

12. The Department has the sponsorship responsibility for Britain's space industry and provides the Whitehall lead in this field. DoI expenditure on space research is mainly directed through the European Space Agency (ESA). DoI and SRC provide the UK delegates to ESA and work closely together; DoI currently contributes £33 m. per annum to ESA and a further £8.7m comes from SRC. The U.K., as a member of ESA, is able to participate in programmes beyond the means of a single European country. UK firms receive ESA contracts for satellite and other work. In addition to expenditure via ESA, DoI is also spending £3m per annum on a UK national space programme aimed at increasing the competitiveness of UK industry. Until recently, DoI's support of space research was of a preparatory nature. But with the rapidly increasing applications of the technology in the communications field real customers and real requirements are now appearing.

13. The Department supports a programme of research and demonstration in Ministry of Defence Research Establishments and in aeroengine, airframe and avionics firms for civil aircraft applications. The objective is to maintain a technological competence on which industry can base its future activities.

14. DoI sponsors the National Research Development Corporation (NRDC). One of the NRDC's main activities is to exploit

inventions derived from UK public sector sources (Universities, Research Councils, Government establishments). It has a current portfolio of 6,000 British and overseas patents derived from these sources and from industry. The Corporation is expected to operate as a profit making, though not profit maximising, organisation; and it has been profitable for many years.

15. The National Enterprise Board is now operating under new guidelines which define, amongst other things, its role in the development and exploitation of advanced technology. Wherever possible the Board will seek maximum private sector participation in its investments and it is required to dispose of its holdings to private ownership as soon as commercially practicable. A recent example of the NEB's role in exploiting the results of work by the Research Councils has been the setting up of the joint NEB/private enterprise company Celltech which will exploit discoveries made in biotechnology by the Medical Research Council.

16. In addition to the generation of new knowledge and the development of new products and processes, it is vitally important that the best use should be made of existing technology. DoI pursues this policy in a variety of ways. Programmes to improve awareness of the potential of micro-electronics and microprocessors are included in the Micro-electronics Applications Project. DoI's laboratories have numerous contacts with industry, they publish reports, hold seminars and participate in exhibitions. The Technology Reports Centre provides search and enquiry services. The Manufacturing Advisory Service provides assisted consultancies to help small engineering firms make the best use of manufacturing technology.

17. All these arrangements are designed to meet the current emphasis on the exploitation of science. The movement in the UK, and in other industrialised countries, has been to improve ways in which science and technology are directed at wealth

generation. The French have a word for the process: "Valorisation" -- which means getting the full value out of something. As a nation we need to get the full value out of science and technology.

THE DOI'S CONTRACTOR ROLE

18. The Department operates six research laboratories, details of which are provided in Annex II.* These establishments support statutory and regulatory responsibilities and provide standards. In recent years they have been getting closer to customers by:-

- undertaking more contract work with and for industry
- improved dialogues with Requirements Boards to identify market needs especially for R&D with long lead times
- moving towards some "privatisation"

Overall, a quarter of the laboratories' work is done in partnership with industry and a further fifth is for paying Government customers.

DOI'S INTERACTIONS WITH OTHER GOVERNMENT DEPARTMENTS, THE RESEARCH COUNCILS AND UNIVERSITIES

19. Earlier paragraphs referred to the decentralised nature of Government's S&T activity. Such arrangements clearly require machinery to ensure that there is no harmful overlap between Departments' R&D programmes and policies, that no gap arises and that policy questions with a major scientific or technological content are considered interdepartmentally.

*"Department of Industry. Research Establishments Review 1980"

20. A Committee of Chief Scientists and Permanent Secretaries, chaired by the Secretary of the Cabinet, has an overall view of R&D and other scientific matters at top official level. In addition to this forum DoI has numerous day-to-day contacts, formal and informal, with other Departments and agencies.

21. One of DoI's particular concerns, within this broader scene, is to ensure that basic research should, where appropriate, be influenced by industrial needs. To this end, DoI has close and growing links with the Research Councils. The Chief Engineer and Scientist (CES) of DoI sits on the Advisory Board for the Research Councils, on the SRC and on the NERC. There is DoI representation at Under Secretary level on the SRC Engineering Board. Interaction between SRC and DoI has increased very significantly in recent years and there are now a number of examples of joint initiatives and co-operation, particularly where these will lead to improved application and understanding of modern industrial technology and materials:-

- i) The Teaching Company Scheme is run jointly by SRC and DoI. It aims to develop closer understanding and joint purpose between universities and manufacturing industry; to advance manufacturing methods in British firms; to attract able graduates to careers in manufacturing; and to develop the universities' understanding of manufacturing engineering through experience of practical industrial problems. Under the Scheme, individual universities and polytechnics co-operate with companies undertaking substantial changes in their manufacturing activities. The company and the university jointly select graduate "Teaching Company Associates" who work within a joint company/academic team, while senior academic staff contribute by arranging supporting courses, seminars and, where needed, laboratory work. The costs are shared between the Department and the SRC.
- ii) In the computer aided engineering and automated small

batch production fields, SRC has provided representation on sub-groups of the Department's Mechanical Engineering and Machine Tools Requirements Board. These groups have regularly scrutinised research applications submitted to the SRC in their respective fields, and have advised the Council on the industrial relevance of the work proposed. A third sub-group, the Engines and Vehicles Working Party, has from time to time provided advice to SRC on particular applications and has referred to the Council work of fundamental character which was felt to be more appropriate for Council than for Departmental support.

- iii) In the robotics area there is a joint DoI/SRC Robotics Committee, chaired by DoI, which has developed and now has oversight of a programme of Government support. The SRC presence has ensured that the two organisations' activities in the field complement one another and there is a valuable exchange of views on projects. There is a clear possibility of joint funding of industry/ university robotics projects.
- iv) The SRC's Polymer Engineering Directorate is aimed at stimulating industrially related polymer research in a number of universities. DoI has been represented on the Directorate's Management Committee and has recently indicated that it would like to see more co-ordination between SRC and DoI programmes in this area. Discussions are taking place on future cost sharing of the Directorate.
- v) In information technology, steps are being taken to ensure a greater complementary between SRC and DoI programmes/^{through} improved liaison and joint funding of appropriate projects.

22. In connection with the joint activities, DoI provides

about 40 representatives - mostly from its research establishments - for SRC committees, sub-committees and working parties. Individuals at the research establishments frequently act as referees or advisors on individual grant applications received by SRC.

23. DoI also commissions work from NERC. The re-organisation which followed the acceptance of Rothschild's recommendations resulted in the transfer of funds from DES's science budget to DoI and other customer Departments. This was effected over a three-year period and DoI was allocated £2.5 m out of the NERC budget of £15.3 m. at that time. This money was to be used to commission applied research at NERC. Although there were some early difficulties in operating this customer/contractor principle a good working relationship was established. Programmes currently supported include the Mineral Reconnaissance Programme, the Mineral Exploration and Investment Grant Advisory Service and the Mineral Intelligence Statistics and Economics Programme. DoI's arrangements with NERC, and the programmes, are now running satisfactorily although constraints on Departmental expenditure have led to some cutback in the level of support, particularly from Requirements Boards.

24. In a few cases DoI supports university institutes directly (as distinct from support for university research programmes via the Requirements Boards). The Department is providing £800,000 over 4 years to set up the Cranfield Product Engineering Centre at the Cranfield Institute. This centre will aim to help small engineering firms to update existing products and introduce new products.

DOI PARTICIPATION IN SCIENCE AND TECHNOLOGY POLICY

25. DoI's science and technology policy forms an integral part of the Department's industrial policy. It seeks to strike an appropriate balance between work aimed at national wealth

generation and the broader needs of society in, for example, the health, safety and environmental protection fields.

The policy takes into account the views and ... recommendations of bodies such as the NEDO Sector Working Parties and the Advisory Council for Applied Research and Development (ACARD). Many of ACARD's reports have dealt with topics which come within the DoI's area of responsibility and the dialogue has been helpful and influential. DoI's policy is also influenced by its working arrangements and overlapping interests with other Governments and agencies. The picture is, therefore, one of close and dynamic interaction.

26. The Department has a responsibility for international aspects of science and technology policy. It co-ordinates, within Whitehall, views on questions of civil science and technology policy which arise in a number of international fora including the European Community, OECD and the United Nations. The Department frequently provides the UK representation at meetings of these organisations. An example of this activity is the work of the European Community's Scientific and Technical Research Committee (CREST). CREST meets about monthly with 2 or 3 sessions a year devoted to wide-ranging discussions of Community S&T policy. For these latter discussions the UK is normally represented by the Chief Scientist of the Central Policy Review Staff (CPRS) accompanied by DoI officials. DoI also deals with the industrial and general issues arising from the OECD Committee for Scientific and Technological Policy which frequently provides the forum at which S&T policy experience is discussed by OECD member countries.

27. More generally on the overseas scene, DoI has a co-ordinating responsibility for providing Counsellors (Science and Technology) at overseas posts with an indication of UK market needs for information on S&T; and for organising the UK dissemination of information from the Counsellors.

ANNIVERSARY ADDRESS BY THE PRESIDENT

At the Anniversary Meeting of the Society held on 1 December 1980, the President, the Rt Hon. the Lord Todd, O.M., F.R.S., following the presentation of the medals for 1980, continued:

In four previous Anniversary Addresses I have touched on a variety of problems of current interest and importance which, although matters of public concern, were in some of their facets of peculiar moment to scientists. Today in delivering my fifth and final Address to the Society as its President it is perhaps natural that I should look back not simply on my period of office but also on the thirty-eight years that have passed since I was elected to the Fellowship and reflect on some of the changes which have occurred and on our situation today. For changes have certainly taken place in the Society as in the world outside it! At the time of my election in 1942 there were 460 Fellows and 48 Foreign Members; the number of Sectional Committees was 8, of National Committees 9 and the total staff numbered 15. Today we have 900 Fellows and 85 Foreign Members with 12 Sectional Committees, 27 National Committees and our staff numbers approximately 100. In the same period the number of Fellows elected annually has risen from 20 to 40. This enormous growth is of course a reflexion of the increasing fragmentation of science and the large increase which has occurred in the number and importance of scientists and technologists in this and other industrialized countries since the last war. With the recent increase in annual admissions to 40 it is clear that for good or ill the size of the Fellowship will be considerably larger than it now is before anything like a steady state is reached. One obvious result of all this has been that the Society has become more impersonal, and Fellows living in areas remote from London have felt increasingly isolated from its activities. In efforts to mitigate this Council has introduced the *Royal Society News* and is now considering the possibility of holding Discussion Meetings outside London. But other changes, some of them relating to the Society's concern with national policy, have occurred and it is perhaps instructive to look back at their origin.

When I was elected to the Fellowship in 1942 we were in the midst of a world war, and many of the activities in which the body of Fellows normally participated were either in abeyance or severely restricted. I had, as it happened, some basis for comparison because as a young research chemist in the thirties I had become much more aware of the Royal Society and its activities than most of my contemporaries through my father-in-law Sir Henry Dale. Sir Henry, who had been Biological Secretary from 1925 to 1935 and was to be President from 1940 to 1945, was, like many of his friends and colleagues on the biological side — men like Sherrington, Adrian, Hopkins, Mellanby, Barcroft and others — devoted to the ideals and traditions of the Society. To me in those days the Royal Society seemed like a rather exclusive gentlemen's club where occasional rather ill-attended meetings were held at which short scientific papers were read and after which the Fellows dined together at the Royal Society Club. In other words, it still had much of its original character after nearly three centuries of existence in London. In 1939 its main source of income was from private sources and the Parliamentary Grant-in-aid was £15 500. (For the current year the Grant-in-aid is £3.72 million and far outweighs our private income.) The Society had a few statutory involvements with government but these were not onerous and did not interfere with its essential independence. Even in those days it was recognized as the country's national academy of science, and as such acted as adhering body to the various international scientific unions which were in the early stages of their development in the decade or so before the last war. Its concern with public policy was limited until the exigencies of war thrust responsibility upon it.

The role which science should play in determining national policy has been the subject of almost continuous debate during the past thirty-five years and it is, in my view, relevant to any discussion of

the position of the Royal Society today. The term 'science policy' which is widely used nowadays is, of course, a misnomer, but it is used umbrella-fashion to cover a variety of things which really fall under three headings — policy for science, scientifically based policy, and public policy determined in the light of available scientific information. Let me first try to exemplify them.

Science in its pure form, i.e. the improvement of natural knowledge as described in our Charter is, of course, a branch of culture just as much as music or the arts and to it as to these other branches government stands as a patron. In the case of science, however, it is not a wholly disinterested patron. For government is about power, and from science, or rather from scientific research, come discoveries in which lie the seeds of future power. Moreover, in a technological age the promotion of science is necessary in order that trained scientific manpower will be available to meet the country's needs. Government therefore is and must be prepared to devote substantial sums to the promotion of science. Of course, no government has unlimited resources at its disposal so that although it cannot — and must not attempt to — control the direction of scientific research it clearly must control the scale of expenditure and the weight of effort to be made in its various branches. A policy for science is therefore necessary. The second heading — that of scientifically based policy — is perhaps the one in which government involvement is of longest standing. It covers the promotion of activities involving scientific research which are essential to the national interest. In Britain the first example of this was the foundation of the Royal Observatory at Greenwich in 1675 by Charles II (although it was so grossly neglected by government in its early years that it would not have survived if the Royal Society had not taken it under its wing). The Observatory owed its creation to the manifest need for improvements in navigation which could

only come through scientific research. Later examples are to be found in, for example, the Meteorological Office and the National Physical Laboratory. The third interface at which science and government come together is where it is necessary to choose a policy or course of action from several alternatives among which choice involves not merely political and economic considerations but also a knowledge of scientific facts and their implications. Decision as to whether an energy policy should depend on nuclear power, on coal, on solar energy or on some other source of power is an example which is being widely discussed at the present time.

To understand the position of the Royal Society in such matters it is necessary to look back for a brief space at the changes which have occurred in the relationship between science and government during this century. The crucial factor in the enormous development of our material civilization since about the middle of the nineteenth century has been science-based technology. Its growing importance naturally brought in its train an increasing demand for research and for trained scientific manpower. Universities and other institutions of tertiary education burgeoned and in them research, both pure and applied, grew in amount and became one of their standard features. Why the infusion of the new science-based technology into British industry should have lagged behind its introduction in some other countries during this period has been much discussed. I believe that an important factor in it was the feather-bedding effect of the enormous input of wealth from the Empire which concealed the growing obsolescence of our industry and our educational system and encouraged a false complacency. However, this is not the occasion to debate that topic interesting and important though it is. Whatever the reason, Britain was brought up with a shock on the outbreak of the First World War when it was found that she had become dependent on her enemy, Germany, for many of her needs — including, I have been told, even the dyestuff used for the khaki uniforms of her troops! Clearly

action was called for and government set up a Department of Scientific and Industrial Research (DSIR) to promote science in industry at large. During the latter part of the war, too, in preparation for the post-war reconstruction of the economy, a committee on the machinery of government was set up under Lord Haldane — the Haldane Committee — and its recommendations set the pattern for government relations with science in Britain until the outbreak of the Second World War in 1939.

Briefly put, Haldane recognized that executive departments of government should have within them scientific organizations to ensure that research directly relevant to their needs would be carried out. However, because such organizations would inevitably be largely preoccupied with day to day requirements it would be necessary to have some other body or bodies which would be free from this and could promote scientific research of a longer term character. Initially these bodies were to be the DSIR, the newly formed Medical Research Council (MRC) and to them were added the Agricultural Research Council (ARC) and much later the Nature Conservancy. Each of these was set up with its own laboratories and was charged also with the support of research in universities by means of student awards, creation of associated units and the support of researches 'of timeliness and promise'. These supplemented resources made available to universities through their general grant from the University Grants Committee and they really represent the origin of the dual support system for university research. In addition, DSIR was charged with the added duty of promoting research in British industry; one of the more interesting ways in which it sought to do this was by the creation of the Industrial Research Associations. In order to safeguard their independence and freedom from departmental influence or control DSIR and the Research Councils were placed under the Privy Council and their executive heads as well as members of their councils were appointed by the Lord President only after consultation with the President of the Royal Society. The position of the Royal Society

as the country's national academy of science was recognized in this way but apart from occasional informal contacts between its President and Ministers it represented the sole involvement of the Society with the policies of government.

At the time of the Haldane Report and in the early years of the Research Councils it seemed that a fruitful relationship between science, industry and government was almost within sight. But that hope was not fulfilled: although matters were a great deal better than before, they still fell far short of expectations. Civil executive departments soon forgot about the desirability of having an active scientific organization. Why, for example, should a Ministry of Transport bother about road research when the DSIR was there? If any awkward questions were ever asked it could use DSIR as a screen. Some of the more backward industries, far from being stimulated to do research, simply took the line that there was no need to spend much money on it since DSIR and the Research Associations would take care of it for them. Finally, the setting up of some government research establishments under DSIR with permanent staffs but no challenging economic objectives to attain proved to be then, as it is today, a recipe for disaster. Despite such weaknesses, however, progress was indeed achieved during the inter-war period and even if the country was ill-prepared for war in 1939, its outbreak found Britain comparatively well supplied with operative scientific organizations which could be and did indeed become the basis for the enormous development of science as applied to the manifold problems of war between 1939 and 1945. The story of science in Britain during the last war is well known and need not be repeated here. Government, university and industrial research laboratories both jointly and separately made vital contributions — radar, penicillin, operational analysis and nuclear energy to name but a few. All aspects of science and public policy were involved and the central body which served as both the link with and adviser to government was the Scientific Advisory Committee to the War Cabinet. That committee consisted of the President

and two Secretaries (A and B) of the Royal Society, and the executive Heads of the Research Councils under the chairmanship of the Lord President of the Council representing the government of the day.

When the war ended Britain was faced with tremendous problems; impoverished by its efforts, many of its cities devastated and its industrial economy distorted by the demands of total war the outlook was grim. But victory had been achieved, owing in no small measure to the sensational advances which had been made by science and technology and there was a feeling almost of euphoria — what science had done in war it could assuredly do in peace also. So the cry went up — let us have more scientists and technologists, let them have all the money they need and the millennium will be just around the corner. Given enthusiasm and some guidance from a scientific advisory committee like the one we had during the war, all would surely be well.

There is no doubt that at the end of the war the reputation of the Royal Society was high and its involvement with national policy greater than ever before; but these very facts faced it with a dilemma. What should be its future role? Three possible courses seemed open to it. First, it could have dropped all contact with government and reverted to being an isolated scientific élite with little or no influence on affairs — a pattern adopted by the national academies of the Latin countries and Japan. Secondly, it could have gone to the other extreme and become closely integrated as an organ of government with its Officers holding political appointments; this is, of course, the pattern found in the Soviet Union, Eastern Europe and China. The third possibility was to adopt an intermediate stance in which the Society would retain its independence of government and avoid political involvement while maintaining informal contacts and being available to offer objective scientific advice as appropriate. It was entirely in keeping with Dale's passionate belief in the freedom and universality of science (a view reinforced by what had happened in Nazi Germany and the Soviet Union) that he chose the third

of these possible modes of action; that choice was too, much closer to the tradition of the Society than any of the others. The resulting pattern has also been in varying degree adopted in Commonwealth countries, South Africa and Scandinavia. The National Academy of the United States although not integrated with government has much closer links with it than the Royal Society and carries out quite large-scale investigations or studies on its behalf.

Before it finally dissolved, the Scientific Advisory Committee to the War Cabinet instigated the setting up of the so-called Barlow Committee to advise *inter alia* on the best way in which scientific advice could be made available to government at Cabinet level in time of peace. The Committee proposed that two bodies should be set up, an Advisory Council on Scientific Policy (ACSP) to deal with the whole field of civil science and technology and a Defence Policy Research Committee (DPRC) which for obvious reasons had to be a separate body. Under this scheme, which was in fact adopted, the link between these two bodies was provided by a common chairman, Sir Henry Tizard. As originally constituted in 1948 ACSP consisted of seven independent scientists and technologists from the academic and industrial worlds (one an Officer — not the President — of the Royal Society) together with an equal number of officials (secretaries of the Research Councils, chairman of the University Grants Committee and three other representing the Treasury, atomic energy and government science). When Sir Henry Tizard retired in 1952 I, who had been with Solly (now Lord) Zuckerman an original member of ACSP, became its Chairman on a part-time basis with no personal commitment to the DPRC which had a separate chairman. (This position I held continuously until the dissolution of ACSP in 1964.) This seemed a very satisfactory arrangement at the time, giving as it did to the Royal Society a direct contact with the main civil science advisory body in government reporting to the Lord President of the Council who in those days was the Minister responsible 'for the formulation of government

scientific policy' and indeed was given the added title of Minister for Science a few years later. The stage then seemed set for an effective system of advice to government in which the Society could play a role but which still ensured its essential independence and freedom of action.

Unfortunately the Society did not take full advantage of the situation. From 1950 under three successive Presidents the Society gradually lost influence and drifted away from matters of public policy; it became rather introspective and the Presidents were mainly concerned with such problems as accommodation, celebration of the Society's tercentenary and the like. This had unfortunate results in the early 1960s when a number of important — and in my view retrograde — steps were taken which radically altered the relationships between government, science and perhaps more especially the Royal Society. At that time there was much unease about the way in which Britain seemed to lag behind some other nations in technological innovation and there was a feeling that we were not making full use of the talent available in our rising generations because of inadequacies in our educational system. The Robbins Report recommending a huge (and to my mind ill-considered) expansion of higher education was accepted, *in toto* and almost without discussion, by both Government and Opposition in Parliament and the responsibility for science, the Research Councils and the University Grants Committee transferred to the new Secretary of State for Education and Science. The advent of a Labour Government in 1964 with its wild talk of a 'white hot technological revolution' completed the story. ACSP was abolished, technology was separated from science in a new ministry and a new Council for Scientific Policy was set up under the Department of Education and Science. Apart from recommending the pattern of division of available resources between the various Research Councils, this body had really very little function coexisting as it did with a Ministry of Technology with its own advisory council; and with the newly created post of Chief Scientific Adviser in

the Cabinet Office. In these changes the Society took regrettably little part and its independence was in some measure affected by the political commitment of Lord Blackett to the Labour Government during his Presidency. Before my own election in 1975 several further changes occurred. The Council for Scientific Policy was dissolved and replaced by the more restricted but much more useful Advisory Board for the Research Councils, and following the resignation of Sir Alan Cottrell the office of Chief Scientific Adviser was abolished. Finally, changes — some of them not yet wholly absorbed — in the operations and interrelations of Research Councils and executive departments concerned with science, technology and medicine have occurred following the introduction of the so-called 'customer-contractor principle' adumbrated in the Rothschild Report of 1971.

When I assumed office I was unhappy about the fragmented state of science-government relations and the position of the Royal Society in that connection. The fact that the retirement of Lord Rothschild and the abolition of the Chief Scientific Adviser's post had left the Central Policy Review Staff without any scientific expertise at its disposal within government was a source of concern to its Chairman as it was to me, and in due course a scientific member was appointed to the CPRS, much to its benefit. This appointment, although useful and indeed necessary, did not in my view provide more than an amelioration of our problems, most of which remained. I can, of course, give only a personal view of these problems and on possible ways of resolving the vexed questions of relations between science and government although I believe that view is substantially shared by my fellow Officers. To begin with, I hold that government needs a high-level independent scientific adviser who should be Chairman of an advisory council similar to the original Advisory Council on Scientific Policy. He could be whole-time or part-time but he should be independent of any department and should report direct to the Cabinet. Whether he should report direct to the Prime Minister is doubtful —

Prime Ministers are likely to be so tied down by the day to day exigencies of government that it would probably be wiser to make science, technology and scientific policy the responsibility of a senior and influential Minister without Portfolio as it was in the days of the ACSP. In the absence of an advisory body such as this which could call on the resources not just of departments but of the Royal Society and the Fellowship of Engineering, government will continue to depend on internal advisers from executive departments whose views must necessarily be in some measure partisan. What I here propose would entail the removal of responsibility for science and the Research Councils from the Department of Education and Science; I believe such a change would be in the best interest of science which must inevitably play second fiddle to education under present arrangements. It would moreover make easier and more effective the revision of our dual support system for research in universities which is sorely in need of reform.

These being my views it is only fair that I should indicate whether I and the Society have been able in any way to assist their promotion and, if so, to what extent. Following the appointment of a scientific officer to the Central Policy Review Staff I participated in a number of discussions and arising in part from these government set up a new body called the Advisory Council for Applied Research and Development (ACARD), a body consisting largely of independent scientists and technologists from industry and the universities with the Lord Privy Seal as titular chairman and a Fellow of the Society as operative deputy chairman. The formation of ACARD represents a considerable step forward; not only does its membership include several Fellows but the Society has collaborated with it and with ABRC to produce a most valuable report on Biotechnology, some of whose recommendations are now being put into effect as part of national policy. ACARD has also produced several other smaller reports and its actions to date would seem to augur well for its future. True I consider that ACARD's remit should extend

further than 'applied research and development' if it is to achieve all I would hope for, but until it is accepted by government that there should be a separation of the Research Councils (or, if you will — science) from education some limitations on its activities in regard to scientific policy will remain. In parallel too with the activities of ACARD the Society itself has undertaken, in some cases at the request of government, impartial reviews of evidence obtainable on, for example, the outlook for a 'coal economy'. In this and other ways it is maintaining and again increasing its informal contacts with government in the area of scientific policy.

Progress in such matters is of necessity slow but I feel we are moving on the right lines and that in doing so we not only uphold but maintain for the future the position in our country's affairs that was sought, and in substantial measure achieved, by our predecessors of thirty-five years ago. The Society's objects are and must remain three-fold:

(1) To protect and encourage science in all its aspects pure or applied. As Thomas Hooke once put it: 'To improve the knowledge of naturall things and all useful Arts Manufactures Mechanick practises Engynes and Inventions by Experiment'.

(2) To offer to government an independent source of advice and help in the creation and operation of instruments through which science and technology may be brought fully to bear upon the formulation of national policy.

(3) To uphold and develop international scientific relations upholding the principle that scientists shall be free to interchange their findings and to collaborate in the search for knowledge without let or hindrance.

To realize these objects the Society must continue to maintain its independence, avoid involvement in politics and at all costs maintain its high standards. The Royal Society is and must remain an élite body if it is to retain its prestige and even its credibility.

REVIEW OF THE SCIENTIFIC CIVIL SERVICE

The Review of the Scientific Civil Service (Cmd 8032) was published in September 1980. The Government has not yet given a formal reply to the recommendations.

2 The CSD has asked departments employing the majority of scientists for their reactions. On the basis of the replies the Science Management Committee has advised CSD on the priorities.

3 Departments have agreed that the first priority should be the better development of "technological generalists" able to contribute to policy formulation at the highest levels. This will require initially the more positive management of the careers of some of the most able scientists to ensure that, at appropriate times in their careers, they are given training and experience to equip them suitably; details of how this is to be achieved will be discussed with departments. Reduced resources in departmental establishment offices seem likely to limit at present the wider application of positive career management to all scientists; but experience with the more able scientists should provide a basis for wider application as soon as resources allow.

4 Departments are being asked to specify the number of posts available within the Scientific Civil Service for technological generalists and to indicate other areas of work in which such scientists might make a useful contribution.

5 The need for better linkages between departments having few scientists and the major employing departments, and ways of providing such linkages, are being assessed. Ways of giving better departmental publicity to the work of government scientists will be studied.

6 Some recommendations, including those relating to departmental policy on R&D, the remit of Chief Scientists, and the greater exchanges of scientists with industry have been commended to departments for attention.

7 Other recommendations - an increase in the use of the decentralised recruitment machinery, more short-term fellowships, wider use of departmental Heads of Profession - will be pursued only if doing so answers significant needs in departments.

8 The Civil Service Commission has started changing its recruitment material to put increased emphasis on the non-research aspects of the work of scientists in the Civil Service.

9 In summary, the SMC and departments have agreed priorities and the broad lines of the response to the recommendations. Detailed solutions, and the part CSD should play in their execution, are still to be worked out.



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Regan

Your ref. PFU/3/02

10th March 1981

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MS

SELECT COMMITTEE APPEARANCE BY DES AND DI, 25th MARCH 1981

I now enclose a copy of our Memorandum as it is being sent forward to the Clerk of the Select Committee today.

Copies of this letter go to Nick Sanders at No. 10., J G Colman in Sir Ian Bancroft's Office at the CSD and to Edward Osmotherly there, and to D J Wright in Sir Robert Armstrong's Office at the Cabinet Office together with copies of the Memorandum.

(C M REGAN)

MEMORANDUM BY THE DEPARTMENT OF EDUCATION AND SCIENCE: CIVIL SCIENCE

A. The framework for basic scientific research

The responsibilities of the Secretary of State for Education and Science in the civil science field - to which this memorandum confines itself - are concentrated essentially in the area of basic scientific research.

1. The responsibilities conferred on the Secretary of State for Education and Science under the Science and Technology Act 1965 are largely discharged through the five Research Councils - the Natural Environment Research Council (NERC); the Agricultural Research Council (ARC); the Medical Research Council (MRC); the Science Research Council (SRC); and the Social Science Research Council (SSRC), all of which have Royal Charters defining their functions. Other than certain members of the ARC, who are appointed by Agriculture Ministers, the Secretary of State appoints all members of the Councils in agreement with those other Ministers who are principally concerned and after reference as necessary to the President of the Royal Society.

2. The Secretary of State is responsible for the provision of an annual grant-in-aid to the Research Councils; and such grants are also paid to the British Museum (Natural History)* and to the Royal Society. The sum of these grants to the seven recipient bodies is known as the Science Budget.

3. The Science Budget is intended to further scientific knowledge, to maintain a fundamental capacity for research and to support higher education at the postgraduate level. The Research Councils undertake these duties in a variety of ways, the pattern varying from one Council to another. Provision for research includes the making of grants to research workers in universities and elsewhere; the direct operation of research establishments (which may be units associated with universities, central facilities for the use of universities, or separate institutes which carry out research programmes agreed by a Council); participating in international scientific programmes; and supporting students

/undertaking

*The British Museum (Natural History) is funded from the Science Budget rather than, as with the other Trustee Museums, from the Arts Budget because the main thrust of the Museum's work is in the field of science, and in particular in taxonomy.

undertaking postgraduate training. Annex 1 shows the general pattern of each Council's expenditure in 1979-80 financed from the Science Budget.

4. In the working of the Research Council system, the Advisory Board for the Research Councils (ABRC) has a central place. The ABRC was established in 1972 to advise the Secretary of State on his responsibilities for Civil Science, with particular reference to the Research Council system, and on the allocation of the Science Budget among the recipient bodies. Members, who are appointed by the Secretary of State, include the Heads of each of the Research Councils, the Chief Scientists of those Government Departments with a major interest in the work of the Research Councils, the Chief Scientist in the Central Policy Review Staff (SPRS), the Chairman of the University Grants Committee (UGC), and members drawn from industry, the universities and the Royal Society. The terms of reference and current membership of the ABRC are set out in Annex 2.

5. In formulating its advice to the Secretary of State on the allocation of the Science Budget, the ABRC conducts each year a Forward Look exercise in which it considers submissions from each recipient body covering their current work and plans for future years. The advice given to the Secretary of State covers allocations for the succeeding financial year and guidelines for the three or four years following that. The work of the ABRC is covered in detail by its First, Second and Third Reports*.

6. In arriving at his conclusions on the allocation of the Science Budget, the Secretary of State clearly gives the most serious consideration to the advice which he receives from the ABRC; but the final decision is his. In reaching that decision he will in particular have regard to the extent to which in his view the advice in practice fully reflects current perceptions of priorities and pre-occupations in scientific research. For example, for a number of years starting in 1974-75 the ABRC advised that the allocation of funds should effect a redeployment of resources away from "big" science areas within the SRC's sphere of responsibility - high energy physics, astronomy and space sciences - in order to provide for developments in other fields, particularly those, such as engineering, of relevance to the needs of industry; and successive Secretaries of State accepted the advice that allocation to the SRC in real terms should be planned on a /declining

*Cmd. 5633 (June 1974), Cmd. 6430 (March 1976) and Cmd. 7467 (February 1979).

declining basis. Again on the Board's advice, this specific policy has however now ended. As another example, the SSRC has in the last few years experienced a substantial decrease in real terms in its receipts from the Science Budget; and this too has reflected advice from the ABRC.

7. Once the Secretary of State has reached his decisions on allocations, each body in receipt of grant-in-aid from the Science Budget is responsible for its allocation between different purposes. At the same time, the Department retains a capacity for monitoring the Research Councils' expenditure through the operation of delegated financial authority limits. These require the Research Councils to secure the Department's approval (and in some cases the Department then has to secure Treasury approval) for proposed expenditure which falls into certain categories or which is estimated to exceed certain laid-down threshold sums. The Department is further associated with the task, which goes on throughout each financial year, of ensuring that their estimate and cash limit provisions are not exceeded by the Research Councils.

B. The size and uses of the Science Budget

(i) The Science Budget as a whole

8. The following table shows the pattern of expenditure on the Science Budget for the past two years, and the planned expenditure for the current year and in 1981-82 at 1980 Survey prices. Up-to-date Public Expenditure plans for 1982-83 and 1983-84 will appear in a White Paper to be published shortly.

				£ million**
	<u>Actual</u>			<u>Planned</u>
1978-79		1979-80	1980-81	1981-82
	339.4	340.0	344.7	343.4

**Including £13.9 million to be transferred from the Health Departments from 1981-82 - see Annex 3. For purposes of comparison this sum has also been added in the earlier years.

9. Having regard to the Government's decision to reduce public spending, the plans for the Science budget shown above (which take into account reductions announced during 1979 and 1980) demonstrate the importance which is attached to the support of basic science.

(ii) Distribution of the Science Budget

(a) Overall

10. The allocations from the Science Budget to the recipient bodies in 1980-81 and 1981-82 are set out in Annex 3. In its coming Forward Look exercise the ABRC will be framing its recommendations within the projections which will be set out in the next Public Expenditure White Paper.

(b) Use of the Science Budget to support university scientific research

11. Annex 1 shows that around 25 per cent of the Science Budget is spent on research grants and contracts, most of which are placed with the universities. In addition much of the money devoted by Research Councils to their own units and to international subscriptions goes to support university research through the provision of central facilities. Taken together this expenditure makes up the major constituent of one side of the so-called dual support system for university scientific research. Under this system, the basic facilities for research in the universities are provided from the general grant to the universities which is channelled through the UGC; particular projects are then developed with support from the Research Councils and from other sources such as Government Departments, industry and charitable foundations. There has been some concern recently that this system of funding may not be the most efficient at a time of restrictions on expenditure; the current arrangements for the support of university scientific research are accordingly at present being reviewed by a joint ABRC/UGC Working Party which is headed by the Chairman of the ABRC and on which the chairman of the UGC is also serving. The Working Party was set up in March 1980 and hopes to report back to its parent bodies in 1981.

(c) Use of the Science Budget to support postgraduate education

12. The Research Councils also devote a significant proportion of their

/expenditure

expenditure to the support of postgraduate students, mainly at universities and polytechnics. An ABRC Working Party on Postgraduate Education, under the chairmanship of Sir Peter Swinnerton-Dyer, FRS, Master of St. Catherine's College, Cambridge, and Vice-Chancellor of Cambridge University, is currently considering how far the present scale and nature of provision for postgraduate education in scientific fields supported by the Research Councils is meeting manpower needs; and examining the role of the Councils in meeting these needs. It is concentrating its attention on the areas covered by the NERC, SRC and SSRC, and hopes to report to the ABRC in 1981.

C. Commissioned research

13. Some of the Research Councils and their institutes also receive substantial funds from Government Departments for commissioned research. The 1972 White Paper "Framework for Government Research and Development"* recognised the importance of research and development in the achievement of many of the Government's objectives, and proposed that Government-commissioned applied research and development should be organised in accordance with the "customer/contractor" principle, with closer links between the customer departments and contractor Research Councils. It therefore recommended that part of the funds available to the ARC, MRC and NERC should become the responsibility of customer departments to help meet their needs for commissioned research; and, in accordance with this recommendation, between 1973-74 and 1975-76 funds were transferred from the Science Budget to appropriate Departments of State (the Ministry of Agriculture, Fisheries and Food, the Department of Health and Social Security, the Scottish Home and Health Department, the (then) Department of Trade and Industry, the Department of the Environment and the Department of Employment). No restrictions were placed on the use of these transferred funds, but it was expected that Departments would use them to commission applied research from the Research Councils. In 1979-80 the three Councils concerned received some £62 million in respect of commissioned research.

14. The development of the new arrangements and their subsequent operation have been monitored by the ABRC; the Board's three reports referred to in paragraph 5 above are relevant. Other steps designed to strengthen links between Government Departments promoting research in support of their policies and the Research Councils carrying out the research, including the development of

/Chief

*Cmd. 5046.

Chief Scientists' organisations within Departments and the appointment of Chief Scientists as members of the Councils, were associated with the development of the customer/contractor principle; and these too have been monitored by the ABRC.

15. The March 1979 White Paper "Review of the Framework for Government Research and Development (Cmnd. 5046)"*, contained inter alia the statement of the then Government's view that too little time had elapsed since the transfer of funds was completed in 1975-76 for a firm judgement to be made, and that there was thus need for continuing review; but it recorded the Government's general endorsement of the new arrangements. The White Paper went on to make the qualification that the relatively high proportion of the ARC funds coming from comparatively inflexible commissions should be kept under close scrutiny; and that the Health Departments might not be properly qualified to carry out fully their responsibility for all aspects of research commissioned with the MRC.

16. Following a report by the Public Accounts Committee** on medical research, the Secretary of State for Social Services announced in Parliament in October 1980 that revised arrangements for co-operation between the Health Departments and the MRC had been agreed and would take effect on 1st April 1981. The main points of the agreement covered the return to the Science Budget of the funds for biomedical research which had earlier been transferred to the Health Departments, and the development by the MRC of an increased capacity in health services research. Accordingly, £13.9 million at 1980 Survey prices is being transferred back from the Health Departments to the Science Budget from 1981-82, and is initially being allocated to the MRC.

17. The Public Accounts Committee's Report also recommended a review of the existing arrangements for the commissioning from the ARC of agricultural research by the Ministry of Agriculture, Fisheries and Food. The Public Accounts Committee took the view that such a review should consider whether the Ministry should have effective control over the whole of the ARC's research and development work of potential benefit to agriculture. The review has taken place and, following it, the Minister of Agriculture, Fisheries and Food recently announced in Parliament that he would not be seeking a further transfer of funds from the
/Science

* Cmnd. 7499.

**First Report of the Public Accounts Committee, House of Commons Paper No. 173 of Session 1979-80.

∧ Hansard, 28th October 1980, Vol. 991, c. 266-268.

∅ Hansard, 13th January 1981, Vol. 996, c. 566.

Science Budget to his Department's Votes. But he added that he did attach importance to making the relations between the ARC and his Department as constructive and cooperative as possible; and the working arrangements between the two bodies are being developed with this aim.

D. International scientific activities

18. The Department of Education and Science and the Research Councils are substantially involved in international scientific activities. These fall into three broad categories, the first relating to international research organisations, the second to non-governmental international research activities and organisations, and the third to inter-governmental arrangements which promote scientific co-operation in general.

19. Details of activities under these three heads are set out in Annex 4. The distinguishing feature of UK participation in the more important inter-governmental research organisations is that the UK subscription to it is paid from the Science Budget through the appropriate Research Council. The Research Council concerned also provides the UK delegate(s) to the governing body; the Department may provide a briefing service.

E. Other responsibilities of the Secretary of State

20. The Secretary of State for Education and Science also has two specific responsibilities in the area of science which go wider than those described in Section A of this memorandum. In the first place, the Secretary of State is responsible for exercising general oversight over the Genetic Manipulation Advisory Group (GMAG), which was established in 1976 to advise research scientists and others, including those in industry, who wish to carry out work involving recombinant deoxyribonucleic acid (DNA) - commonly known as genetic manipulation work. In consultation with the other Ministers who are principally concerned, he appoints the Chairman and the members of the Group. The responsibility for the GMAG was assigned to the Secretary of State because much of the work with which the Group deals arises directly or indirectly out of basic scientific research activities.

21. Secndly, the Secretary of State, in consultation with the other Ministers

/who are

who are closely concerned with its work, appoints the Chairman and the independent members of the Advisory Committee on Pesticides and Other Toxic Substances (commonly abbreviated to "Advisory Committee on Pesticides").

F. Organisation and co-ordination of scientific research within the U.K. government machine

22. The basis for the overall organisation of science within the U.K. government machine is that outlined in the 1972 White Paper "Framework for Government Research and Development" (previously mentioned in paragraph 13). This White Paper did two main things in relation to structures. First, it set out the then Government's view of the right organisational and financial pattern for the country's applied research and development effort. This was a pattern under which those responsible for departmental objectives should also be responsible for defining their requirements in the clearest possible terms, and for commissioning the research and development work needed to achieve those objectives. Applied research activities were in fact needed to achieve many of the Government's objectives, but they could not be regarded as forming a distinct function of Government. Any attempt to formulate overall objectives for a supposedly collective activity of research and development would lead to confusion.

23. Second, the White Paper enunciated the customer/contractor principle which has already been discussed in Section C above dealing with commissioned research. It recognized that, in the application of this principle, Departmental Chief Scientists had an important role to play.

24. It should be noted here that the White Paper of March 1979, "Review of the Framework of Government Research and Development (Cmnd. 5046)" (previously mentioned in paragraph 15) endorsed the principles of the 1972 White Paper in regard to the organisational framework for scientific research.

25. Since then, the present Government has made clear its adherence to the view that Government-sponsored applied science is not an end in itself, but a means of helping to achieve the Government's policies and objectives. Policy on applied science and **technology** in any sector needs to be associated with

/policy

policy on investment, human resources, market needs and other factors, and must therefore be the concern of the Minister responsible for overall policy in that sector.

26. Nonetheless, there is of course a need for co-ordination between the various Government Departments which are concerned with scientific research, in relation both to domestic and to international affairs. This is brought about in a number of different ways.

27. First, co-ordination is achieved in very considerable measure by the day-to-day interaction and informal co-operation at working level of those who are concerned with scientific research in the various Government Departments and other organisations involved. While this may appear a trite proposition, and one which depends for its practical application upon the quality of those concerned, their personal contacts and their willingness to talk to each other, it is a fact that there is a system at all working levels, and that it is an efficacious one.

28. Second, however, there are a number of more formal means of co-ordination. An interdepartmental committee at Permanent Secretary and Chief Scientist level exercises a general strategic oversight; and ad hoc interdepartmental machinery is established where this is required for particular purposes. All the major research commissioning departments now have, in pursuance of the doctrine enunciated in the 1972 White Paper (paragraphs 14 and 23 above) Chief Scientists, at very senior level, who, with their supporting organisations, play an important role in co-ordination; and their membership of the ABRC (paragraph 4 above) reinforces this. In particular, also, the CPRS now has, through its Chief Scientist, a fall-back co-ordinating function in relation to scientific matters.

29. Also relevant is the Advisory Council for Applied Research and Development (ACARD), which advises Ministers, and publishes reports as necessary, on aspects of applied Research and Development in the United Kingdom. In pursuance of this remit, ACARD has over the last three years issued a series of important reports, dealing with:-

The Applications of Semiconductor Technology
Industrial Innovation

/Joining

Joining and Assembly: The Impact of Robots and Automation
Technological Change: Threats and Opportunities for the UK
Computer-Aided Design and Manufacture
R & D for Public Purchasing
Information Technology
Biotechnology (Report of a Joint Working Party of ACARD, the
ABRC and the Royal Society).

30. These are all means of ensuring that the scientific research effort responds to demand, and that duplication and overlapping are avoided. In addition, it is, however, accepted that issues of over-riding national importance could on some occasions arise which would go beyond the normal means of co-ordination outlined in paragraphs 27 to 29 and in which it might not be sensible for a departmental Minister to take the lead. In a Parliamentary Answer to the hon. Member for West Lothian in October 1979*, the Prime Minister made it clear that, in such a case, she would herself be prepared to play a co-ordinating role. No instance has arisen since that Answer was given.

Department of Education and
Science,
London, S.E.1.

6th March 1981

/ANNEX 1

*Hansard, 29th October 1979. Vol. 972, c. 411-412.

General pattern of Research Council expenditure from the Science Budget in 1979-80

Expenditure financed from the Science Budget in 1979-80, excluding that by the British Museum (Natural History) and the Royal Society, was divided broadly under the following heads (Research Council expenditure from the Science Budget, 1979-80, derived from Councils' accounts):-

£million

	ARC	MRC	NERC	SRC	SSRC	TOTALS
Research grants and contracts	2.2	19.5	7.2	44.4	5.4	78.7
Research units and establishments ⁽¹⁾	23.5	27.6	23.0	57.6	0.5	132.2
Postgraduate awards, fellowships, etc.	0.3	4.5	3.4	24.1	9.3	41.6
International subscriptions	-	1.5	-	43.1	-	44.6
Centrally supported schemes and administration	3.6	4.2	2.8	6.3	1.6	18.5
TOTALS	29.6	57.3	36.4	175.5	16.8	315.6

(1) Including both the Councils' own and grant-aided establishments.

Terms of reference and membership of the Advisory Board for the Research Councils (ABRC)

1. The terms of reference of the ABRC are:-
 - "(a) To advise the Secretary of State on his responsibilities for civil science with particular reference to the Research Council system, its articulation with the universities and departments, the support of postgraduate students and the proper balance between international and national scientific activity.
 - (b) To advise the Secretary of State on the allocation of the Science Budget amongst the Research Councils and other bodies, taking into account funds paid to them by customer departments and the purposes to which such funds are devoted.
 - (c) To promote close liaison between Councils and the users of their research."

2. At December 1980, the membership of the ABRC was as follows:-

Sir Alec Merrison, DL, FRS. (Chairman)	Vice-Chancellor, University of Bristol
Professor Sir Geoffrey Allen, FRS	Chairman, Science Research Council.
Dr J M Ashworth	Chief Scientist, Central Policy Review Staff, Cabinet Office.
Professor Sir Hermann Bondi, KCB, FRS	Chairman, Natural Environment Research Council.
Professor A J Buller, ERD, FRCP	Chief Scientist, Department of Health and Social Security.
Dr D S Davies	Chief Engineer and Scientist, Department of Industry.
Mrs J E Floud, CBE	Principal, Newnham College, Cambridge.
Dr J L Gowans, CBE, FRS	Secretary, Medical Research Council.
Dr M W Holdgate, CB	Director-General of Research, Departments of the Environment and of Transport
Professor Sir Andrew Watt Kay, FRSE	Regius Professor of Surgery, University of Glasgow, and Chief Scientist, Scottish Home and Health Department.

/Sir James

Sir James Lighthill, FRS

Mr J R S Morris

Dr E W Parkes

Mr M V Posner

Sir Rex Richards, FRS

Dr R Riley, FRS

Dr A Spinks, CBE, FRS

Professor Sir Peter Swinnerton-Dyer,
FRS

Dr B G F Weitz, OBE

Professor Sir Ronald Mason, KCB, FRS*

Dr A A L Challis, CBE*

Provost, University College, London.

Chairman, Brown and Root U.K. Ltd.

Chairman, University Grants Committee.

Chairman, Social Science Research
Council.

Warden, Merton College, Oxford.

Secretary, Agricultural Research
Council.

Formerly Director of Research, Imperial
Chemical Industries, Ltd.

Master, St. Catherine's College,
Cambridge.

Chief Scientist, Ministry of
Agriculture, Fisheries and Food.

Chief Scientist, Ministry of Defence.

Chief Scientist, Department of Energy.

*Assessors

Allocations from the Science Budget, 1980-81 and 1981-82:-

		<u>1980 Survey Prices</u>
	1980-81	£million 1981-82
ARC	30.4	30.6
MRC	59.5	59.3 ¹
NERC	39.5	39.4
SRC	175.0	174.3
SSRC	17.1	16.1
British Museum (Natural History)	6.1	6.5
Royal Society	3.2	3.3
	330.8	329.5

1. In addition £13.9 million is to be transferred to the Science Budget from the Health Departments from 1981-82 in respect of research hitherto commissioned by them with the Council, and will initially be allocated to the MRC.

International scientific activities

The international scientific activities in which the Department and the Research Councils are involved fall broadly into three categories:-

1. Inter-governmental research organisations: The UK belongs to a number of organisations carrying out research in fundamental science, e.g. the European Organisation for Nuclear Research (CERN), the European Molecular Biology Conference and Laboratory and the International Agency for Research on Cancer. In each case the UK subscription is paid from the Science Budget through the appropriate Research Council, which provides the UK delegates to the governing body.

2. Non-governmental international research activities and organisations:

(a) A Research Council may itself be a member of an international organisation. For example, the SRC belongs to the European Incoherent Scatter Facility (EISCAT), an association of agencies from six European countries which has been established to probe the ionosphere using high power radar techniques.

(b) A different type of organisation is the European Science Foundation (ESF) which is based on the research councils and academics of sixteen European countries. All five UK Research Councils are members together with the Royal Society (and also the British Academy, since the Foundation interprets "science" broadly).

(c) There are also arrangements for exchanges between scientific communities engaged in fundamental research. These are broadly conducted on a non-governmental basis because it is considered that it should be left to the universities, Royal Society, Research Councils and other independent bodies to judge the scientific merits of particular cases. The Royal Society has a number of formal agreements with other bodies abroad, in both pure and applied fields, and the British Council administers a series of bilateral agreements on educational, scientific and cultural exchanges.

/3. Inter-governmental

3. Inter-governmental arrangements promoting scientific cooperation in general:

(a) European Communities

Since the research activities of the Communities stem naturally from their sectoral interests, their Committee for Research in Science and Technology (CREST) is concerned mainly with applied and technological research. The UK lead in relation to CREST is therefore taken by the relevant Division in the Department of Industry, after consultation with other relevant Departments including the Department of Education and Science, which brings in the Research Councils as appropriate. The MRC is represented on the Sub-Committee of CREST dealing with medical and public health research (CFM) and the SRC is represented on the Data Processing (Information) Training Group of CREST. The ARC, together with the Ministry of Agriculture, Fisheries and Food, provides the UK representation on the Standing Committee of the Brussels Commission on Agricultural Research (SCAR). Briefing for the UK delegates to the Committee for Scientific and Technical Information and Documentation (CIDST) is provided by an interdepartmental committee which is serviced by the Department and the British Library and includes Research Council representatives.

(b) Organisation for Economic Cooperation and Development (OECD)

The Department, in conjunction with the Department of Industry, acts as a briefing focus for coordinating UK views on subjects before the OECD Committee on Scientific and Technological Policy (CSTP) which provides a forum for the discussion and study of various aspects of policy in the fields of science and technology (including the social sciences) which are of concern to OECD member countries. The two Departments jointly provide the UK delegation to the Committee.

(c) North Atlantic Treaty Organisation (NATO)

A primary aim of the NATO Science Committee since its establishment in 1958 has been to further international scientific cooperation between scientists from the member countries of the Alliance. The UK contribution to the Committee's work is met from Science Budget funds through the SRC. The Committee has endeavoured to provide substantial support for almost all fields of basic science in order to enhance the dissemination and

/exchange

exchange of knowledge, and the activities undertaken under its auspices provide opportunities for advanced instruction, by way of science studentships and fellowships, and for multi-national collaborative research. The Committee has also identified specific areas for special encouragement or support for limited periods.

(d) United Nations Educational, Scientific and Cultural Organisation (UNESCO)

The Overseas Development Administration is the lead Department for UNESCO activities, but the **DES and the** Research Councils have varying degrees of involvement in some of the scientific programmes. The UK National Commission for UNESCO is advised on scientific matters generally by a committee which is serviced by the Royal Society and the Overseas Development Administration and includes a Departmental representative. Man and the Biosphere is a broadly-based UNESCO programme aimed at the development of an integrated approach to the study of man's inter-action with the environment. Overall policy is determined by an International Coordinating Council. National coordination is developed by national committees. The UK committee is serviced by the Department, and the ARC, NERC and SSRC are represented on it.



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Policy & Perspectives Unit

PPU/22/03

C M Regan Esq
Department of Education and Science
Elizabeth House
York Road
London SE1 7PH

10 March 1981

Dear Regan,

SELECT COMMITTEE ON EDUCATION SCIENCE AND ARTS:
APPEARANCE BY DOI AND DES MINISTERS, 25 MARCH 1981

I enclose a copy of our Memorandum which has just been sent to the Clerk of the Select Committee.

Many thanks for your letter of 10 March with its attached copy of the DES Memorandum.

I am sending copies of this letter and of our Memorandum to N J Sanders (No. 10), J G Colman (CSD), E B C Osmotherly (CSD), D J Wright Cabinet Office and J M Ashworth CPRS.

*Yours sincerely,
Perry Goodman*

P GOODMAN
Head/PPU

Enc

PARLIAMENTARY SELECT COMMITTEE ON EDUCATION, SCIENCE AND ARTS:
ENQUIRY ON SCIENCE POLICY

MEMORANDUM BY THE DEPARTMENT OF INDUSTRY

INTRODUCTION

1. The nation's science and technology (S&T) activity extends from education in the schools and universities, through basic research, applied research and development, to industrial production and marketing. The Department of Industry is mainly concerned with the application of science and technology to industry. But it is also concerned that enough basic research should be done in the universities and elsewhere to support the development of new technologies. Our schools, technical colleges, universities and professional institutions must provide the people needed by British industry to exploit science and technology for the greatest benefit of the UK economy. DoI's interests therefore touch most parts of the S&T chain - and in some areas there is very close involvement with other Government Departments, particularly the Department of Education and Science (DES).

2. This memorandum sets out the recent history of the development of DoI's S&T responsibilities and activities

within the context of the organisation of Government S&T in the U.K. It describes DoI's policy on S&T and refers briefly to the Department's major activities undertaken as a result of this policy. It refers to DoI links with Government Departments, the Research Councils and the Universities.

Finally, it describes DoI's participation in S&T policy formulation in the U.K. and in the international fora. The Memorandum has been seen in draft by the Science Research Council (SRC) and by the Natural Environment Research Council (NERC).

BRIEF HISTORICAL BACKGROUND

3. There are a number of comprehensive historical accounts of

the way in which the organisation and management of Government science and technology have developed since the 1900s. An excellent published source is the "Government of Science in Britain".* The next few paragraphs, therefore, only sketch some of the significant events leading to DoI's current responsibilities for S&T.

4. The early foundation of Government involvement in science had been laid in the nineteenth century and early part of the twentieth century with the setting up of the Laboratory of the Government Chemist and the National Physical Laboratory. The period following the first World War saw very rapid growth in Government influence with the opening of further Government laboratories and the creation, with Government support, of the industrial Research Associations. At this time it was widely accepted that scientific research flourished best in an atmosphere free from political direction. Government science was administered through the Department of Scientific and Industrial Research (DSIR) which reported to the Lord President. The guiding philosophy derived from the Report of the Machinery of Government Committee chaired by Viscount Haldane of Cloane (Cmd. 9230, 1918). The "Haldane principle" said that responsibility for supervising research of general use should be "in the hands of a Minister who is in normal times free from any serious pressure of administrative duties, and is immune from any suspicion of being biased by administrative considerations against the application of results of the research".

5. Increasingly, over the next 20 to 30 years, and particularly after the Second World War, it came to be recognised that science, effectively applied to the development of products and processes, could be a major factor in economic growth. Close links with market needs were desirable if the best use was to be made of the results of scientific work. In this context, the Trend Committee in 1962/63 reviewed the organisation of civil science. It concluded amongst other

*Edited by J B Poole and Kay Andrews, House of Commons Library, Weidenfeld and Nicolson, 1971.

things, that DSIR's responsibility for promoting scientific research in the universities and its responsibility for promoting industrial research and development would become "too heavy a charge". The Trend Committee judged that these two responsibilities although interconnected, were inherently different in nature and purpose, and they recommended that this difference in function should be reflected in a difference of organisation. In the reorganisation that followed, DES took over responsibilities for basic science, while Government applied science functions were distributed over a number of Departments in accordance with their general responsibilities. Policy and support for industrial research was placed with the newly formed Ministry of Technology which included the United Kingdom Atomic Energy Authority, the National Research Development Corporation and the former DSIR Research Establishments. A subsequent merger with the Ministry of Aviation brought in the aviation and some electronics laboratories. A Council for Scientific Policy advised on the Research Council system; an Advisory Council on Technology dealt with the work in the Ministry of Technology.

6. Departments administered their S&T responsibilities in a variety of ways. There was no overall philosophy of Government applied R&D. But in 1971 the Rothschild Report on the organisation and management of Government research and development (Cmnd. 4814, 1971) focussed attention particularly on the role of the Government as a customer for R&D. It proposed the customer/contractor principle as the basis on which all applied research should be conducted. Simply stated this was that:-

"The customer says what he wants; the contractor does it (if he can); and the customer pays".

This principle was already reflected in major areas of government R&D ; its extension to all government applied R&D was announced in a White Paper (Framework for Government Research and Development, Cmnd. 5046, 1971). The policy was

generally reaffirmed following a review in 1979 (Cmnd. 7499). The same review describes (pages 22-24) DoI's organisation for S&T activities, which is essentially the same today although some restructuring of DoI's Requirements Boards is now being undertaken to enable them to operate more effectively.

DOI'S CURRENT POLICY FOR SCIENCE AND TECHNOLOGY

7. DoI's policy for science and technology has evolved within this broad framework of government policy. It recognises that industrial research must respond to markets and will be carried out primarily by industry. But DoI can assist this process by:-

- i) undertaking and supporting research necessary to underpin regulatory functions;
- ii) developing and accelerating the introduction of new technology;
- iii) supporting work at the early stages of R&D where there is uncertainty about who will recoup the benefits;
- iv) encouraging industrial innovation.

8. There is in the U.K. no nationally allocated sum of money with the title "Government Budget for Science and Technology" over which DoI fights for its share. Bids for funds for the support of industrial science and technology form part of the estimates of DoI and other departments. Specifically, DoI is responsible for the Scientific and Technological Assistance Vote and authority for the use of these funds derives from the Science and Technology Act (1965). There is some additional support to industrial technology under the Industry Act (1972). The allocation of funds to individual programme areas is determined, subject to constraints imposed by Parliament, within DoI and approved by the Secretary of State.

9. The funds are used for programmes which are broadly of three kinds:-

- i) support for specific areas of technology or for particular industries (e.g. the Microprocessor Applications Project, the Microelectronics Industry Support Programme, space technology and civil aeronautics).
- ii) support for more general schemes covering all areas of technology (e.g. the Requirements Boards, the Product and Process Development Scheme).
- iii) support for encouraging greater awareness of existing technology and its applications

Annex 1* describes the programmes in more detail.

10. Support for projects in industry is generally on the basis of grants of 25 per cent of the cost of the work or, less commonly, by cost shared contracts at a higher level of assistance. The emphasis is on the application of technology to products and processes, selected by firms, which can rapidly find a place in the market. The Microprocessor Applications Project and the Microelectronics Industry Support Programme are particularly designed to accelerate the introduction of these important technologies. The Product and Process Development Scheme is more generally available to encourage companies to invest more resources in development work and to launch innovations more quickly and effectively.

11. For work with a higher research content, the allocation of funds is made on the advice of the Research Requirements Boards. They cover a wide range of sectors and technologies. They are normally chaired by senior industrialists and have strong industrial representation. This ensures that industry's priorities and needs, as determined by the market, are reflected in the programmes of the Boards. They are the Departmental 'customers' (in the Rothschild sense) for the work which DoI commissions on behalf of industry. They spend

*"Research and Development Requirements and Programmes. Report 1979-80. Department of Industry"1980.

about one-third (£55 million) of the S&T budget and the money goes to support specific industrial projects; research of general value to industry in areas such as measurement technology, standards and quality control; and DoI's regulatory work. The contractors include the Department's own research establishments, the industrial Research Associations, individual firms, the Research Councils and, to a small extent, the universities. In recent years the Boards have put increasing emphasis on placing work in industry.

12. The Department has the sponsorship responsibility for Britain's space industry and provides the Whitehall lead in this field. DoI expenditure on space research is mainly directed through the European Space Agency (ESA). DoI and SRC provide the UK delegates to ESA and work closely together; DoI currently contributes £33 m. per annum to ESA and a further £8.7m comes from SRC. The U.K., as a member of ESA, is able to participate in programmes beyond the means of a single European country. UK firms receive ESA contracts for satellite and other work. In addition to expenditure via ESA, DoI is also spending £3m per annum on a UK national space programme aimed at increasing the competitiveness of UK industry. Until recently, DoI's support of space research was of a preparatory nature. But with the rapidly increasing applications of the technology in the communications field real customers and real requirements are now appearing.

13. The Department supports a programme of research and demonstration in Ministry of Defence Research Establishments and in aeroengine, airframe and avionics firms for civil aircraft applications. The objective is to maintain a technological competence on which industry can base its future activities.

14. DoI sponsors the National Research Development Corporation (NRDC). One of the NRDC's main activities is to exploit

inventions derived from UK public sector sources (Universities, Research Councils, Government establishments). It has a current portfolio of 6,000 British and overseas patents derived from these sources and from industry. The Corporation is expected to operate as a profit making, though not profit maximising, organisation; and it has been profitable for many years.

15. The National Enterprise Board is now operating under new guidelines which define, amongst other things, its role in the development and exploitation of advanced technology. Wherever possible the Board will seek maximum private sector participation in its investments and it is required to dispose of its holdings to private ownership as soon as commercially practicable. A recent example of the NEB's role in exploiting the results of work by the Research Councils has been the setting up of the joint NEB/private enterprise company Celltech which will exploit discoveries made in biotechnology by the Medical Research Council.

16. In addition to the generation of new knowledge and the development of new products and processes, it is vitally important that the best use should be made of existing technology. DoI pursues this policy in a variety of ways. Programmes to improve awareness of the potential of micro-electronics and microprocessors are included in the Micro-electronics Applications Project. DoI's laboratories have numerous contacts with industry, they publish reports, hold seminars and participate in exhibitions. The Technology Reports Centre provides search and enquiry services. The Manufacturing Advisory Service provides assisted consultancies to help small engineering firms make the best use of manufacturing technology.

17. All these arrangements are designed to meet the current emphasis on the exploitation of science. The movement in the UK, and in other industrialised countries, has been to improve ways in which science and technology are directed at wealth

generation. The French have a word for the process: "Valorisation" - which means getting the full value out of something. As a nation we need to get the full value out of science and technology.

THE DOI'S CONTRACTOR ROLE

18. The Department operates six research laboratories, details of which are provided in Annex II.* These establishments support statutory and regulatory responsibilities and provide standards. In recent years they have been getting closer to customers by:-

- undertaking more contract work with and for industry
- improved dialogues with Requirements Boards to identify market needs especially for R&D with long lead times
- moving towards some "privatisation"

Overall, a quarter of the laboratories' work is done in partnership with industry and a further fifth is for paying Government customers.

DOI'S INTERACTIONS WITH OTHER GOVERNMENT DEPARTMENTS, THE RESEARCH COUNCILS AND UNIVERSITIES

19. Earlier paragraphs referred to the decentralised nature of Government's S&T activity. Such arrangements clearly require machinery to ensure that there is no harmful overlap between Departments' R&D programmes and policies, that no gap arises and that policy questions with a major scientific or technological content are considered interdepartmentally.

*"Department of Industry. Research Establishments Review 1980"

20. A Committee of Chief Scientists and Permanent Secretaries, chaired by the Secretary of the Cabinet, has an overall view of R&D and other scientific matters at top official level. In addition to this forum DoI has numerous day-to-day contacts, formal and informal, with other Departments and agencies.

21. One of DoI's particular concerns, within this broader scene, is to ensure that basic research should, where appropriate, be influenced by industrial needs. To this end, DoI has close and growing links with the Research Councils. The Chief Engineer and Scientist (CES) of DoI sits on the Advisory Board for the Research Councils, on the SRC and on the NERC. There is DoI representation at Under Secretary level on the SRC Engineering Board. Interaction between SRC and DoI has increased very significantly in recent years and there are now a number of examples of joint initiatives and co-operation, particularly where these will lead to improved application and understanding of modern industrial technology and materials:-

- i) The Teaching Company Scheme is run jointly by SRC and DoI. It aims to develop closer understanding and joint purpose between universities and manufacturing industry; to advance manufacturing methods in British firms; to attract able graduates to careers in manufacturing; and to develop the universities' understanding of manufacturing engineering through experience of practical industrial problems. Under the Scheme, individual universities and polytechnics co-operate with companies undertaking substantial changes in their manufacturing activities. The company and the university jointly select graduate "Teaching Company Associates" who work within a joint company/academic team, while senior academic staff contribute by arranging supporting courses, seminars and, where needed, laboratory work. The costs are shared between the Department and the SRC.
- ii) In the computer aided engineering and automated small

batch production fields, SRC has provided representation on sub-groups of the Department's Mechanical Engineering and Machine Tools Requirements Board. These groups have regularly scrutinised research applications submitted to the SRC in their respective fields, and have advised the Council on the industrial relevance of the work proposed. A third sub-group, the Engines and Vehicles Working Party, has from time to time provided advice to SRC on particular applications and has referred to the Council work of fundamental character which was felt to be more appropriate for Council than for Departmental support.

- iii) In the robotics area there is a joint DoI/SRC Robotics Committee, chaired by DoI, which has developed and now has oversight of a programme of Government support. The SRC presence has ensured that the two organisations' activities in the field complement one another and there is a valuable exchange of views on projects. There is a clear possibility of joint funding of industry/ university robotics projects.
- iv) The SRC's Polymer Engineering Directorate is aimed at stimulating industrially related polymer research in a number of universities. DoI has been represented on the Directorate's Management Committee and has recently indicated that it would like to see more co-ordination between SRC and DoI programmes in this area. Discussions are taking place on future cost sharing of the Directorate.
- v) In information technology, steps are being taken to ensure a greater complementary between SRC and DoI programmes/^{through} improved liaison and joint funding of appropriate projects.

22. In connection with the joint activities, DoI provides

about 40 representatives - mostly from its research establishments - for SRC committees, sub-committees and working parties. Individuals at the research establishments frequently act as referees or advisors on individual grant applications received by SRC.

23. DoI also commissions work from NERC. The re-organisation which followed the acceptance of Rothschild's recommendations resulted in the transfer of funds from DES's science budget to DoI and other customer Departments. This was effected over a three-year period and DoI was allocated £2.5 m out of the NERC budget of £15.3 m. at that time. This money was to be used to commission applied research at NERC. Although there were some early difficulties in operating this customer/contractor principle a good working relationship was established. Programmes currently supported include the Mineral Reconnaissance Programme, the Mineral Exploration and Investment Grant Advisory Service and the Mineral Intelligence Statistics and Economics Programme. DoI's arrangements with NERC, and the programmes, are now running satisfactorily although constraints on Departmental expenditure have led to some cutback in the level of support, particularly from Requirements Boards.

24. In a few cases DoI supports university institutes directly (as distinct from support for university research programmes via the Requirements Boards). The Department is providing £800,000 over 4 years to set up the Cranfield Product Engineering Centre at the Cranfield Institute. This centre will aim to help small engineering firms to update existing products and introduce new products.

DOI PARTICIPATION IN SCIENCE AND TECHNOLOGY POLICY

25. DoI's science and technology policy forms an integral part of the Department's industrial policy. It seeks to strike an appropriate balance between work aimed at national wealth

generation and the broader needs of society in, for example, the health, safety and environmental protection fields.

The policy takes into account the views and recommendations of bodies such as the NEDO Sector Working Parties and the Advisory Council for Applied Research and Development (ACARD). Many of ACARD's reports have dealt with topics which come within the DoI's area of responsibility and the dialogue has been helpful and influential. DoI's policy is also influenced by its working arrangements and overlapping interests with other Governments and agencies. The picture is, therefore, one of close and dynamic interaction.

26. The Department has a responsibility for international aspects of science and technology policy. It co-ordinates, within Whitehall, views on questions of civil science and technology policy which arise in a number of international fora including the European Community, OECD and the United Nations. The Department frequently provides the UK representation at meetings of these organisations. An example of this activity is the work of the European Community's Scientific and Technical Research Committee (CREST). CREST meets about monthly with 2 or 3 sessions a year devoted to wide-ranging discussions of Community S&T policy. For these latter discussions the UK is normally represented by the Chief Scientist of the Central Policy Review Staff (CPRS) accompanied by DoI officials. DoI also deals with the industrial and general issues arising from the OECD Committee for Scientific and Technological Policy which frequently provides the forum at which S&T policy experience is discussed by OECD member countries.

27. More generally on the overseas scene, DoI has a co-ordinating responsibility for providing Counsellors (Science and Technology) at overseas posts with an indication of UK market needs for information on S&T; and for organising the UK dissemination of information from the Counsellors.

FINAL COMMENTS

28. The last few decades have seen the most profound changes in industrial technology. The applications of electronics, telecommunications, space technology, computers, nuclear power, and new materials are just a few examples. There is no evidence that the pace is slackening. Optoelectronics, information technology and biotechnology are just some of the new developments already blossoming. All these have their origins in basic scientific research done 50 or even more years ago. It is, therefore, vital that the scientific base from which future industries can be created should flourish now. Science policy must create the conditions under which intellectual curiosity can produce many new concepts and ideas. There must be support and encouragement from society until individual initiative and enterprise take them further into effective application and market success.

29. Total resources are however limited. Success depends on the selection of those areas that will produce the best return for the nation's effort.



Chancellor of the Duchy of Lancaster

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 1AT

2nd March 1981

Dear Willie,

VMS

GOVERNMENT REPLY TO THE FIRST REPORT FROM THE SELECT
COMMITTEE ON HOME AFFAIRS, SESSION 1980/81

Thank you for your letter of 20 February enclosing the proposed Government reply to the First Report from the Select Committee on Home Affairs, Session 1980/81.

I am very content with the general line you propose to take. My only suggestion is that we might make a bit more of the pressures on the legislative programme and the time that is often spent on allegedly uncontroversial bills. If you agree, you might like to consider substituting something on the following lines for the second sentence of paragraph 6:

"But any Government's legislative programme is selected from a large field of topics competing for priority. Discussion of the details of a draft bill can occupy a considerable amount of Parliamentary time in both Houses even though the legislation is "uncontroversial" in the sense that it is not the subject of dispute between the Government and the Opposition and even if its general provisions have wide support. Moreover, there has been much Parliamentary criticism that governments of all parties have placed too great a legislative burden on Parliament in recent years."

I am copying this letter to the Prime Minister, the Lord President and the Chief Whip.

James Lee
M. A. D. S.

The Rt Hon William Whitelaw CH MC MP
Secretary of State for the Home Department



File No
Parliament

10 DOWNING STREET

From the Private Secretary

6 February 1981

SUB-COMMITTEES OF SELECT COMMITTEES

The Prime Minister has seen your letter to me of 5 February. She is entirely content that the Chancellor of the Duchy should write to Mr. Du Cann as you suggest.

I am copying this letter to John Halliday (Home Office) and Murdo Maclean (Chief Whip's Office).

N. D. SANDERS

Robin A. Birch, Esq.,
Office of the Chancellor of the
Duchy of Lancaster.

RB



Chancellor of the Duchy of Lancaster

Parliament
PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

23rd February 1981
✓ MS

Mr Halliday,

TEN MINUTE RULE BILLS

I enclose for your information a copy of a letter from Murdo Maclean dated 16th February, together with my reply of 18th February indicating the Chancellor of the Duchy's agreement with the points raised by the Chief Whip.

You may like to note that the Chancellor of the Duchy has asked me to bring this correspondence to the attention of all Departments and I am therefore sending copies with this letter to the Private Secretaries to all members of the Cabinet (except for those members of Legislation Committee who have already received copies).

A copy of this letter goes to Murdo Maclean and David Wright.

Yours sincerely,

David Heyhoe

D C R HEYHOE
Private Secretary

J F Halliday Esq
Principal Private Secretary
Home Office
50 Queen Ann's Gate
SW1H 9AT

Enc



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

Chancellor of the Duchy of Lancaster

18th February 1981

TEN MINUTE RULE BILLS

Thank you for your letter of 16th February on this subject, which I have shown to Mr Pym. The Chancellor of the Duchy is in full agreement with the points raised by the Chief Whip.

I am copying this letter to the recipients of yours.

D C R HEYHOE
Private Secretary

M Maclean Esq
Chief Whip's Office
House of Commons
London



CABINET OFFICE

K 2682...

17 FEB 1981

FILING INSTRUCTIONS

FREM.

Government Chief Whip

12 Downing Street, London SW1

16 February 1981

TEN MINUTE RULE BILLS

As you know, guidance on the handling of the above Bills is usually dealt with in correspondence between the members of Legislation Committee and the Chancellor of the Duchy. In most cases the departmental advice tendered is to allow introduction but to block further progress.

The Chief has asked if the advice could also include what action, if any, Ministers should take in the event of the introduction of a Ten Minute Rule Bill being unexpectedly opposed and a division taking place. -- Invariably no such guidance is given by Departments and it is necessary for us to seek this information at very short notice. Each case will obviously need to be considered on its merits but I know that the Chief Whip regards this additional information as essential.

In this connection, the Chief Whip has also asked that, when Ministers are required to abstain or vote against a Bill which is sponsored by a Government supporter, it is most important that the responsible Minister should ensure that the reason for such action is explained in advance to the Member concerned.

I should be grateful if Private Secretaries to the other members of Legislation Committee, to whom I am copying this letter, would bear this in mind. Copies of this letter also go to David Wright and Wilfrid Hyde (Cabinet Office).

(M MACLEAN)

D Heyhoe Esq
Office of the Chancellor of
the Duchy of Lancaster
Privy Council Office
68 Whitehall
SW1

c. Press



QUEEN ANNE'S GATE LONDON SW1H 9AT

Prime Minister

The Home Secretary wants to reply aggressively to select committee complaints about dilatoriness in ~~report~~ dealing with committee recommendations. The recommendations were usually made to previous governments.

February 1981

Yes
no

Dear James content with attached draft reply, subject to drafting points from colleagues? MJP 20/2

Shortly before Christmas the Select Committee on Home Affairs published a report that was highly critical of the steps taken by the Home Office to deal with recommendations made by a number of Committees in recent years.

In my view the Select Committee's Report is based on a fundamental misunderstanding of the position of the Government - particularly in relation to recommendations made by Committees which it did not appoint - and of the role of officials. I enclose a draft reply to the Select Committee dealing with these matters, which I suggest should be published as soon as possible. You may have noticed that Lord Gardiner has just put down a Question for Oral Answer on 5 March asking HMG "what is their attitude" to the Select Committee's Report.

I am sending copies of this letter and the draft reply to the Prime Minister, the Lord President and the Chief Whip. I will assume, unless I hear to the contrary by Tuesday 3 March, that you and they are content with the reply.

*Mark
Walker*

The Rt Hon Francis Pym MC MP

DRAFT GOVERNMENT REPLY TO FIRST REPORT
FROM HOME AFFAIRS COMMITTEE SESSION 1980-81

1. In their First Report in the current Session the Committee report on their examination of Home Office witnesses on the action taken to implement the recommendations made by a number of Committees over the past eight years.
2. The Report is based on evidence taken from three officials on 30 July 1980.
3. The Government finds it necessary to say at the outset that the Committee's Report appears to be based on a misunderstanding of the position of the Government in these matters and of the rôle of officials.
4. The Committee's Report refers frequently (paragraphs 3, 4, 5, 16 and 17) to "the Government" in such a way as to suggest that the changes of Government that have taken place over the past decade are not relevant to the issues with which these Reports are concerned. This is an unreal view. The Reports with which the Committee was concerned raise matters of major public policy on which the views of one Government are likely to differ from those of another Government, particularly a Government of a different political complexion.
5. Paragraph 16 expresses concern at the lack of urgency shown by the Home Office in implementing recommendations pressed upon them by Committees "many of which had been set

up by the Government itself". None of these Committees was appointed by the present Government. The Younger and Finer Committees were appointed by the Labour Government of 1966-70, the Lindop Committee by the Labour Government of 1974-79,^{and} the Butler Committee by the Conservative Government of 1970-74. The Goodman Committee was appointed not by the Government but by the National Council of Social Service (now the National Council for Voluntary Organisations) to which it reported. Governments which appoint Committees do not commit themselves to implementing any proposals which the Committees may make; still less can they commit their successors.

6. Paragraphs 16 and 17, while recognising that the availability of legislative time can be a factor and that consultation is needed on major policy issues, suggest that time should have been found for legislation at least on the uncontroversial proposals contained in these Reports. But any Government's legislative programme is selected from a large field of topics, often uncontroversial, competing for priority.

7. Another constraint on the Government's response to a Committee's recommendations is the availability of resources. Committees not infrequently make recommendations which, however desirable they may be in principle, represent an additional demand on resources. It is not clear from the Committee's comment in paragraph 14 whether they accept that resource constraints are indeed an important factor

in relation to the improvement of statistics of domestic proceedings in magistrates' courts.

8. Paragraph 21 states that none of the Reports in question has been the subject of debate in the House of Commons. This is incorrect. The Committee were informed by a Home Office witness in answer to their first question (Q.1) that there were debates on the Younger Report in both Houses of Parliament in 1973. The House of Commons debate was opened by the then Home Secretary on 13 July 1973 (Official Report columns 1955-2058). The Finer Report was debated in the House of Commons on 20 October 1975 (Official Report columns 53-168).

9. The Government does not accept the allegation in paragraph 20 that the work of the Committees which have reported on these matters has not been treated with the seriousness which it deserves. Their work must be viewed in the light of the policies and priorities of the present Government and of developments that have occurred since the Committees' Reports were received.

10. The Committee refer to the Home Office and Home Office officials in a way which suggests that they are somehow distinct from the Government of the day, and in paragraph 20 the Committee speculate on the respective responsibility of Ministers and civil servants for the handling of the Committee Reports in question. These passages are based

on a misunderstanding. As the witnesses sought to explain (Q.1, Q.3 and Q.7) officials work in accordance with the priorities and policies of the Government of the day. The evidence given by the official witnesses was given on behalf of the Government, who take full responsibility for the handling of these matters since May 1979.

11. The Government accordingly regrets the Select Committee's accusations of dilatoriness and complacency, and considers them to be unfounded.

Home Office,
Queen Anne's Gate.

The Annex deals with the Committee's specific comments on individual Reports. The Committee state in Paragraph 16 that it was not their intention to take detailed evidence or to attempt to form a view on the merits of particular proposals. The Government's response relates to the comments of the Committee on the handling of the various recommendations made by the Committees concerned, rather than to the merits of the recommendations.

YOUNGER ON PRIVACY (Cmnd 5012), THE WHITE PAPERS ON COMPUTERS AND PRIVACY (Cmnds 6353 and 6354), LINDOP ON DATA PROTECTION (Cmnd 7341)

The Younger Committee was appointed on 13 May 1970 by the then Home Secretary, the Lord Chancellor and the Secretary of State for Scotland. It reported to their successors on 25 May 1972. There was a further change of Government before the publication in 1975 of the two White Papers on Computers and Privacy. Those White Papers set out the policy of the last Government.

The Committee express surprise (paragraph 7) that they were told that "there have been few, if any, examples of actual loss of business arising from the lack of legislation [on data protection] in this country". This is nevertheless the case and is one of the factors that the present Government is bound to take into account in deciding whether to introduce legislation on data protection.

Paragraph 8 of the Committee's Report expresses concern that the United Kingdom would be at a considerable disadvantage in regard to the Council of Europe Convention on Data Protection if no decision has been taken by the Government about its own legislation. The United Kingdom's representatives at Strasbourg played a full part in the negotiation of the European Convention. In particular they ensured that the Convention was widely drawn to permit any appropriate scheme which might be embodied in United Kingdom legislation.

The Committee state in paragraph 17 that there is a need for a clearer statement of the law on breach of confidence. As was made clear to the Committee in evidence (Q.1) the Government of the day accepted the Younger Committee's recommendation that the law relating to breach of confidence should be referred to the Law Commissions. The Government awaits the Reports of the Law Commissions on this matter.

Paragraph 19 criticizes the witnesses for being unforthcoming about representations received from interested parties. As to objections to the idea of a Data Protection Authority, the witness sought to make the point (Q.26 and Q.33) that while this was scarcely an issue in the consultations on the Lindop Report (which assumed that in accordance with the announced policy of the last Government there would be a Data Protection Authority) it was now a matter of policy for the present Government.

GOODMAN AND THE EXPENDITURE COMMITTEE (Session 1974-75,
HC 495) ON CHARITIES

Both the Goodman and the Expenditure Committees reported in the time of the last Government, but the present Government took the Goodman Committee's Report into account in considering the recommendations of the Expenditure Committee.

Contrary to what is suggested in paragraph 10, these two Reports raise some controversial issues concerning such matters as charitable status in the fields of education and health. The Government's statement of 24 January 1980 did not set out "the Home Office intentions", but the considered view of the present Government after reviewing the recommendations of the two Committees in the light of its current policies. The statement concluded by saying that the Government was paying particular attention to the Goodman Committee's recommendations relating to fiscal matters. Action on a number of these recommendations was taken in the Finance Act 1980 (Q.60).

The last sentence of paragraph 17 comments that "nearly four years elapsed after the publication of the Goodman Report before the Government were able to announce that they had no present plans for legislation". The Government does not accept that it has been in any way dilatory in responding to the Goodman Report since (as was made clear in evidence to the Committee Q.51) the announcement was made only eight months after the change of Government in May 1979.

BUTLER ON MENTALLY ABNORMAL OFFENDERS (Cmnd 6244)

The Butler Committee reported in the time of the last Government. Paragraph 12 of the Select Committee's report implicitly criticises the Home Office for not having, by circular or other means, commended to the courts and to the probation and after-care service aspects of good practice identified by the Butler Committee. The present Government has set out to reduce the proliferation of advice from central government to local agencies. It does not consider that formal action is always required to draw the attention of practitioners to advice with which they are likely to be familiar.

In paragraph 17 the Committee state that the Government still appear to attach no priority to legislation in the field of restriction orders, with regard to which the Butler Committee made recommendations. The fact that legislation has not been introduced does not mean that the Government is indifferent to a subject. As indicated in paragraph 6 above, any Government's legislative programme is selected from a large field of worthy topics of competing priority.

The Government cannot understand why the Committee should, in paragraph 18, appear to condemn as wrong in principle the issue of consultative documents on the Butler Committee's recommendations on the law of unfitness to plead and the special verdict of not guilty by reason of insanity. The consultative documents in question were issued under the last Government and are not the responsibility of the present one. But the Government cannot see that such consultation can be wrong in principle. Neither can the Government see that the Committee's criticism of this kind of consultation is compatible with its recognition in paragraph 17 that detailed recommendations require consultation with the interests involved.

FINER ON ONE-PARENT FAMILIES (Cmnd 5629)

The Finer Committee reported in the time of the last Government. In paragraph 14 the Select Committee expresses regret at what is described as the dilatoriness of the Home Office in responding to recommendations of the Payne and Finer Committees for a more effective enforcement machinery. The Payne Report, which the Committee did not specifically mention in taking evidence, falls largely to the Lord Chancellor's Department to deal with. The recommendation

for the establishment of an Enforcement Office for the collection of judgement debts is a matter for that Department rather than the Home Office. The Finer Committee's only specific recommendations on powers of enforcement for which the Home Office has a responsibility were that the sanctions of imprisonment and distress for non-payment of maintenance should be abolished. The Government believes that such a reduction in the powers available to enforce the payment of maintenance would jeopardise the interests of dependants to an unacceptable degree.



Department of Education and Science

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Telephone 01-928 9222 ext 2488

✓MS

18th February 1981

N J Sanders Esq.,
Cabinet Office,
70 Whitehall,
London, SW1.

Dear Sanders,

SELECT COMMITTEE ON EDUCATION, SCIENCE AND THE ARTS

Since we spoke, the draft Memorandum of which I sent you an earlier version has been revised, and I now attach a copy of the new version, which has approval in the department here at Permanent Secretary level, though it has not yet been seen by our Ministers. The new version takes account, I think, of the points you made in relation to the Prime Minister's co-ordinating role, and plays this down considerably.

In view of what you said about Sir Ian Bancroft's coming to see the Prime Minister before his own appearance before the Lords' Sub-Committee on 25th February I am, with Sir James Hamleton's authority, sending a copy direct to Sir Ian's Office.

Sorry this did not - or rather could not - reach you before Sir Ian called on the 17th!

Yours sincerely, Charles Regan.

(C M REGAN)

SELECT COMMITTEE ON EDUCATION, SCIENCE AND THE ARTS

MEMORANDUM BY THE DEPARTMENT OF EDUCATION AND SCIENCE: CIVIL SCIENCE

A. The framework for basic scientific research

The responsibilities of the Secretary of State for Education and Science in the civil science field - to which this memorandum confines itself - are concentrated essentially in the area of basic scientific research.

1. The responsibilities conferred on the Secretary of State for Education and Science under the Science and Technology Act 1965, are largely discharged through the five Research Councils - the Natural Environment Research Council (NERC); the Agricultural Research Council (ARC); the Medical Research Council (MRC); the Science Research Council (SRC); and the Social Science Research Council (SSRC), all of which have Royal Charters defining their functions. Other than certain members of the ARC, who are appointed by Agriculture Ministers, the Secretary of State appoints all members of the Councils in agreement with those other Ministers who are principally concerned and after reference as necessary to the President of the Royal Society.

2. The Secretary of State is responsible for the provision of an annual grant-in-aid to the Research Councils; and such grants are also paid to the British Museum (Natural History)* and to the Royal Society. The sum of these grants to the seven recipient bodies is known as the Science Budget.

3. The Science Budget is intended to further scientific knowledge, to maintain a fundamental capacity for research and to support higher education at the postgraduate level. The Research Councils undertake these duties in a variety of ways, the pattern varying from one Council to another. Provision for research includes the making of grants to research workers in universities and elsewhere; operating directly research establishments (which may be units associated with universities, central facilities for the use of universities, or separate institutes which carry out research programmes agreed by a Council); participating in international scientific programmes; and supporting students undertaking postgraduate training. Annex 1 shows the general pattern of each Council's expenditure in 1979-80 financed from the Science Budget.

/4. In

*The British Museum (Natural History) is funded from the Science Budget rather than, as with the other Trustee Museums, from the Arts Budget because the main thrust of the Museum's work is in the field of science, and in particular in taxonomy.

4. In the working of the Research Council system, the Advisory Board for the Research Councils (ABRC) has a central place. The ABRC established in 1972 to advise the Secretary of State on his responsibilities for Civil Science, with particular reference to the Research Council system, and on the allocation of the Science Budget among the recipient bodies. Members, who are appointed by the Secretary of State, include the Heads of each of the Research Councils, the Chief Scientists of those Government Departments with a major interest in the work of the Research Councils, the Chief Scientist in the Central Policy Review Staff (CPRS), the Chairman of the University Grants Committee (UGC), and members drawn from industry, the universities and the Royal Society. The terms of reference and current membership of the ABRC are set out in Annex 2.

5. In formulating its advice to the Secretary of State on the allocation of the Science Budget, the ABRC conducts each year a Forward Look exercise in which it considers submissions from each recipient body covering their current work and plans for future years. The advice given to the Secretary of State covers allocations for the succeeding financial year and guidelines for the three or four years following that. The work of the ABRC is covered in detail by its First, Second and Third Reports*.

6. In arriving at his conclusions on the allocation of the Science Budget, the Secretary of State clearly gives the most serious consideration to the advice which he receives from the ABRC; but the final decision is his. In reaching that decision he will in particular have regard to the extent to which in his view the advice in practice fully reflects current perceptions of priorities and pre-occupations in scientific research. As an example, for a number of years starting in 1974-75 the ABRC advised that the allocation of funds should effect a redeployment of resources away from "big" science areas within the SRC's sphere of responsibility - high energy physics, astronomy and space sciences - in order to provide for developments in other fields; and Secretaries of State, accepting this advice, reduced in real terms the resources made available to the SRC. This process has however now ended. As another example, the SSRC has in the last few years experienced a substantial decrease in real terms in its receipts from the Science Budget; and this too has reflected advice from the ABRC.

/7. Once

*Cmd. 5633 (June 1974), Cmd. 6430 (March 1976) and Cmd. 7467 (February 1979).

7. Once the Secretary of State has reached his decisions on allocations, each body in receipt of grant-in-aid from the Science Budget is responsible for its allocation between different purposes. At the same time, the Department retains a capacity for monitoring the Research Councils' expenditure through the operation of delegated financial authority limits. These require the Research Councils to secure the Department's approval (and in some cases the Department then has to secure Treasury approval) for proposed expenditure which falls into certain categories or which is estimated to exceed certain laid-down threshold sums. The Department is further associated with the task, which goes on throughout each financial year, of ensuring that their estimates and cash limit provisions are not exceeded by the Research Councils.

B. The size and uses of the Science Budget

(i) The Science Budget as a whole

8. The figures for the Science Budget since 1974-75 are contained within the 'Research councils, etc.' line in Table 2.10 (pages 90 and 91) in the White Paper on the Government's Expenditure Plans 1980-81 to 1983-84* published in March 1980.

9. These figures are however at 1979 Survey prices, and they also include a small sum each year (about £2 million) for services to the British Museum (Natural History) by the Department of the Environment. It may thus be helpful to set out in the following table the actual pattern of expenditure on the Science Budget for the past two years, and the planned expenditure for the current year and in 1981-82 at 1980 Survey prices:-

		£ million**	
		<u>Actual</u>	<u>Planned</u>
1978-79	1979-80	1980-81	1981-82
339.4	340.0	344.7	343.4

**Including £13.9 million to be transferred from the Health Departments from 1981-82 - see Annex 3. For purposes of comparison this sum has also been added in the earlier years.

Having regard to the Government's decision to reduce public spending, the plans for the Science budget shown above (which take into account reductions announced during 1979 and 1980) demonstrate the importance which is attached to the support of basic science.

/(ii)

(ii) Distribution of the Science Budget

(a) Overall

10. The allocations from the Science Budget to the recipient bodies in 1980-81 and 1981-82 are set out in Annex 3. In its coming Forward Look exercise the ABRC will be framing its recommendations within the projections which will be set out in the next Public Expenditure White Paper.

(b) Use of the Science Budget to support university scientific research

11. Annex 1 shows that around 25 per cent of the Science Budget is spent on research grants and contracts, most of which are placed with the universities. In addition much of the money devoted by Research Councils to their own units and to international subscriptions goes to support university research through the provision of central facilities. Taken together this expenditure makes up the major constituent of one side of the so-called dual support system for university scientific research. Under this system, the basic facilities for research in the universities are provided from the general grant to the universities which is channelled through the UGC; particular projects are then developed with support from the Research Councils and from other sources such as Government Departments, industry and charitable foundations. There has been some concern recently that this system of funding may not be the most efficient at a time of restrictions on expenditure; the current arrangements for the support of university scientific research are accordingly at present being reviewed by a joint ABRC/UGC Working Party which is headed by the Chairman of the ABRC and on which the chairman of the UGC is also serving. The Working Party was set up in March 1980 and hopes to report back to its parent bodies in 1981.

(c) Use of the Science Budget to support postgraduate education

12. The Research Councils also devote a significant proportion of their expenditure to the support of postgraduate students, mainly at universities and polytechnics. An ABRC Working Party on Postgraduate Education, under the chairmanship of Sir Peter Swinnerton-Dyer, FRS, Master of St. Catherine's College, Cambridge, and Vice-Chancellor of Cambridge University, is currently considering how far the present scale and nature of provision for postgraduate education in scientific fields supported by the Research Councils is meeting manpower needs; and examining the role of the Councils in meeting these needs. It is concentrating its attention on the areas covered by the NERC, SRC and SSRC, and hopes to report to the ABRC in 1981.

/c.
/Commissioned

C. Commissioned research

13. Some of the Research Councils and their institutes also receive substantial funds from Government Departments for commissioned research. The 1972 White Paper "Framework for Government Research and Development"* recognised the importance of research and development in the achievement of many of the Government's objectives, and proposed that Government-commissioned applied research and development should be organised in accordance with the "customer/contractor" principle, with closer links between the customer departments and contractor Research Councils. It therefore recommended that part of the funds available to the ARC, MRC and NERC should become the responsibility of customer departments to help meet their needs for commissioned research; and, in accordance with this recommendation, between 1973-74 and 1975-76 funds were transferred from the Science Budget to appropriate Departments of State (the Ministry of Agriculture, Fisheries and Food, the Department of Health and Social Security, the Scottish Home and Health Department, the (then) Department of Trade and Industry, the Department of the Environment and the Department of Employment). No restrictions were placed on the use of these transferred funds, but it was expected that Departments would use them to commission applied research from the Research Councils. In 1979-80 the three Councils concerned received some £62 million in respect of commissioned research.

14. The development of the new arrangements and their subsequent operation have been monitored by the ABRC; the Board's three reports referred to in paragraph 5 above are relevant. Other steps designed to strengthen links between Government Departments promoting research in support of their policies and the Research Councils carrying out the research, including the development of Chief Scientists' organisations within Departments and the appointment of Chief Scientists as members of the Councils, were associated with the development of the customer/contractor principle; and these too have been monitored by the ABRC.

15. The March 1979 White Paper already referred to, "Review of the Framework for Government Research and Development (Cmd. 5046)"**, contained inter alia the results of the then Government's review of the new financial system. It set out the Government's view that too little time had elapsed since the transfer

/of

*Cmd. 5046.

**Cmd. 7499.

of funds was completed in 1975-76 for a firm judgement to be made, and that there was thus need for continuing review; but it recorded the Government's general endorsement of the new arrangements. The White Paper went on to make the qualification that the relatively high proportion of ARC funds coming from comparatively inflexible commissions should be kept under close scrutiny; and that the Health Departments might not be properly qualified to carry out fully their responsibility for all aspects of research commissioned with the MRC.

16. Following a report by the Public Accounts Committee* on medical research, the Secretary of State for Social Services announced in Parliament in October 1980 § that revised arrangements for co-operation between the Health Departments and the MRC had been agreed and would take effect on 1st April 1981. The main points of the agreement covered the return to the Science Budget of the funds for biomedical research which had earlier been transferred to the MRC, and the development by the MRC of an increased capacity in health services research. Accordingly, £13.9 million at 1980 Survey prices is being transferred from the Health Departments to the Science Budget from 1981-82, and is initially being allocated to the MRC.

17. The Public Accounts Committee's Report also recommended a review of the existing arrangements for the commissioning from the ARC of agricultural research by the Ministry of Agriculture, Fisheries and Food. The Public Accounts Committee took the view that such a review should consider whether the Ministry should have effective control over the whole of the ARC's research and development work of potential benefit to agriculture. The review has taken place and, following it, the Minister of Agriculture, Fisheries and Food recently announced in Parliament ¶ that he would not be seeking a further transfer of funds from the Science Budget to his Department's Votes. But he added that he did attach importance to making the relations between the ARC and his Department as constructive and cooperative as possible; and the working arrangements between the two bodies are being developed with this aim.

D. International scientific activities

18. The Department of Education and Science and the Research Councils are

/substantially

*First Report of the Public Accounts Committee, House of Commons Paper No. 173 of Session 1979-80.

§Hansard, 28th October 1980, Vol. 991, c. 266-268.

¶Hansard, 13th January 1981, Vol. 996, c. 566.

substantially involved in international scientific activities. These fall into three broad categories, the first relating to international research organisations, the second to non-governmental international research activities and organisations, and the third to inter-governmental arrangements which promote scientific co-operation in general.

19. Details of activities under these three heads are set out in Annex 4. The distinguishing feature of UK participation in the more important inter-governmental research organisations is that the UK subscription to it is paid from the Science Budget through the appropriate Research Council. The Research Council concerned also provides the UK delegate(s) to the governing body; the Department may provide a briefing service.

E. Other responsibilities of the Secretary of State

20. The Secretary of State for Education and Science also has two specific responsibilities in the area of science which go wider than those described in Section A of this memorandum. In the first place, the Secretary of State is responsible for exercising general oversight over the Genetic Manipulation Advisory Group (GMAG), which was established in 1976 to advise research scientists and others, including those in industry, who wish to carry out work involving recombinant deoxyribonucleic acid (DNA) - commonly known as genetic manipulation work. In consultation with the other Ministers who are principally concerned, he appoints the Chairman and the members of the Group. The responsibility for the GMAG was assigned to the Secretary of State because much of the work with which the Group deals arises directly or indirectly out of basic scientific research activities.

21. Secondly, the Secretary of State, in consultation with the other Ministers who are closely concerned with its work, appoints the Chairman and the independent members of the Advisory Committee on Pesticides and Other Toxic Substances (commonly abbreviated to "Advisory Committee on Pesticides").

F. Organisation and co-ordination of scientific research within the U.K. government machine

22. The basis for the overall organisation of science within the U.K. government machine is that outlined in the 1972 White Paper "Framework for Government Research and Development" (previously mentioned in paragraph 13. This White Paper did two main things in relation to structures. First, it set out the

/then

then Government's view of the right organisational and financial pattern for the country's applied research and development effort. This was a pattern under which those responsible for departmental objectives should also be responsible for defining their requirements in the clearest possible terms, and for commissioning the research and development work needed to achieve those objectives. Applied research activities were in fact needed to achieve many of the Government's objectives, but they could not be regarded as forming a distinct function of Government. Any attempt to formulate overall objectives for a supposedly collective activity of research and development would lead to confusion.

23. Second, the White Paper enunciated the customer/contractor principle which has already been discussed in Section C above dealing with commissioned research. It recognized that, in the application of this principle, Departmental Chief Scientists had an important role to play.

24. It should be noted here that the White Paper of March 1979, "Review of the Framework of Government Research and Development (Cmd. 5046)" (previously mentioned in paragraph 15) endorsed the principles of the 1972 White Paper in regard to the organisational framework for scientific research.

25. Since then, the present Government has made clear its adherence to the view that Government-sponsored applied science is not an end in itself, but a means of helping to achieve the Government's policies and objectives. Policy on applied science and technology in any sector needs to be associated with policy on investment, human resources, market needs and other factors, and must therefore be the concern of the Minister responsible for overall policy in that sector.

26. Nonetheless, there is of course a need for co-ordination between the various Government Departments which are concerned with scientific research, in relation both to domestic and to international affairs. This is brought about in a number of different ways.

27. First, co-ordination is achieved in very considerable measure by the day-to-day interaction and informal co-operation at working level of those who are concerned with scientific research in the various Government Departments and other organisations involved. While this may appear a trite proposition, and one

/which

which depends for its practical application upon the quality of those concerned, their personal contacts and their willingness to talk to each other, it is a fact that there is a system at all working levels, and that it is an efficacious one.

28. Second, however, there are a number of more formal means of co-ordination. An interdepartmental committee at Permanent Secretary and Chief Scientist level exercises a general strategic oversight; and ad hoc interdepartmental machinery is established where this is required for particular purposes. All the major research commissioning departments now have, in pursuance of the doctrine enunciated in the 1972 White Paper (paragraphs 14 and 23 above) Chief Scientists, at very senior level, who, with their supporting organisations, play an important role in co-ordination; and their membership of the ABRC (paragraph 4 above) reinforces this. In particular, also, the CPRS has, through its Chief Scientist, a fall-back co-ordinating function in relation to scientific matters.

29. Also relevant is the Advisory Council for Applied Research and Development (ACARD), which advises Ministers, and publishes reports as necessary, on aspects of applied Research and Development in the United Kingdom. In pursuance of this remit, ACARD has over the last three years issued a series of important reports, dealing with:-

The Applications of Semiconductor Technology

Industrial Innovation

Joining and Assembly: The Impact of Robots and Automation

Technological Change: Threats and Opportunities for the UK

Computer-Aided Design and Manufacture

R & D for Public Purchasing

Information Technology

Biotechnology (Report of a Joint Working Party of ACARD, the ABRC and the Royal Society).

30. These are all means of ensuring that the scientific research effort responds to demand, and that duplication and overlapping are avoided. In addition, it is, however, accepted that issues of over-riding national importance could on some occasions arise which would go beyond the normal means of co-ordination outlined

/in

in paragraphs 27 to 29 and in which it might not be sensible for a departmental Minister to take the lead. In a Parliamentary Answer to the hon. Member for West Lothian in October 1979*, the Prime Minister made it clear that, in such a case, she would herself be prepared to play a co-ordinating role. No instance has arisen since that Answer was given.

Department of Education and
Science,
London, S.E.1.

March 1981

/ANNEX 1

General pattern of Research Council expenditure from the Science Budget in 1979-80

Expenditure financed from the Science Budget in 1979-80, excluding that by the British Museum (Natural History) and the Royal Society, was divided broadly under the following heads (Research Council expenditure from the Science Budget, 1979-80, derived from Councils' accounts):-

£million

	ARC	MRC	NERC	SRC	SSRC	TOTALS
Research grants and contracts	2.2	19.5	7.2	44.4	5.4	78.7
Research units and establishments ⁽¹⁾	23.5	27.6	23.0	57.6	0.5	132.2
Postgraduate awards, fellowships, etc.	0.3	4.5	3.4	24.1	9.3	41.6
International subscriptions	-	1.5	-	43.1	-	44.6
Centrally supported schemes and administration	3.6	4.2	2.8	6.3	1.6	18.5
TOTALS	29.6	57.3	36.4	175.5	16.8	315.6

(1) Including both the Councils' own and grant-aided establishments.

Terms of reference and membership of the Advisory Board for the Research Councils (ABRC)

1. The terms of reference of the ABRC are:-

- "(a) To advise the Secretary of State on his responsibilities for civil science with particular reference to the Research Council system, its articulation with the universities and departments, the support of postgraduate students and the proper balance between international and national scientific activity.
- (b) To advise the Secretary of State on the allocation of the Science Budget amongst the Research Councils and other bodies, taking into account funds paid to them by customer departments and the purposes to which such funds are devoted.
- (c) To promote close liaison between Councils and the users of their research."

2. At December 1980, the membership of the ABRC was as follows:-

Sir Alec Merrison, DL, FRS. (Chairman)	Vice-Chancellor, University of Bristol
Professor Sir Geoffrey Allen, FRS	Chairman, Science Research Council.
Dr J M Ashworth	Chief Scientist, Central Policy Review Staff, Cabinet Office.
Professor Sir Hermann Bondi, KCB, FRS	Chairman, Natural Environment Research Council.
Professor A J Buller, ERD, FRCP	Chief Scientist, Department of Health and Social Security.
Dr D S Davies	Chief Scientist and Engineer, Department of Industry.
Mrs J E Floud, CBE	Principal, Newnham College, Cambridge.
Dr J L Gowans, CBE, FRS	Secretary, Medical Research Council.
Dr M W Holdgate, CB	Director-General of Research, Departments of the Environment and of Transport
Professor Sir Andrew Watt Kay, FRSE	Regius Professor of Surgery, University of Glasgow, and Chief Scientist, Scottish Home and Health Department.

/Sir James

Sir James Lighthill, FRS

Dr E W Parkes

Mr M V Posner

Sir Rex Richards, FRS

Dr R Riley, FRS

Dr A Spinks, CBE, FRS

Professor Sir Peter Swinnerton-Dyer,
FRS

Dr B G F Weitz, OBE

Professor Sir Ronald Mason, KCB, FRS

Dr A A L Challis, CBE

Provost, University College, London. ✓

Chairman, University Grants Committee.

Chairman, Social Science Research
Council.

Warden, Merton College, Oxford.

Secretary, Agricultural Research
Council.

Formerly Director of Research, Imperial
Chemical Industries, Ltd.

Master, St. Catherine's College,
Cambridge.

Chief Scientist, Ministry of
Agriculture, Fisheries and Food.

Chief Scientist, Ministry of Defence.

Chief Scientist, Department of Energy.

Allocations from the Science Budget, 1980-81 and 1981-82:-

		<u>1980 Survey Prices</u>
		£million
	1980-81	1981-82
ARC	30.4	30.6
MRC	59.5	59.3 ¹
NERC	39.5	39.4
SRC	175.0	174.3
SSRC	17.1	16.1
British Museum (Natural History)	6.1	6.5
Royal Society	3.2	3.3
	330.8	329.5

1. In addition £13.9 million is to be transferred to the Science Budget from the Health Departments from 1981-82 in respect of research hitherto commissioned by them with the Council, and will initially be allocated to the MRC.

International scientific activities

The international scientific activities in which the Department and the Research Councils are involved fall broadly into three categories.

1. Intergovernmental research organisations: The UK belongs to a number of organisations carrying out research in fundamental science, e.g. the European Organisation for Nuclear Research (CERN), the European Molecular Biology Conference and Laboratory and the International Agency for Research on Cancer. In each case the UK subscription is paid from the Science Budget through the appropriate Research Council, which provides the UK delegates to the governing body.

2. Non-governmental international research activities and organisations:

(a) A Research Council may itself be a member of an international organisation. For example, the SRC belongs to the European Incoherent Scatter Facility (EISCAT), an association of agencies from six European countries which has been established to probe the ionosphere using high power radar techniques.

(b) A different type of organisation is the European Science Foundation (ESF) which is based on the research councils and academies of sixteen European countries. All five UK Research Councils are members together with the Royal Society (and also the British Academy, since the Foundation interprets "science" broadly).

(c) There are also arrangements for exchanges between scientific communities engaged in fundamental research. These are broadly conducted on a non-governmental basis because it is considered that it should be left to the universities, Royal Society, Research Councils and other independent bodies to judge the scientific merits of particular cases. The Royal Society has a number of formal agreements with other bodies abroad, in both pure and applied fields, and the British Council administers a series of bilateral agreements on educational, scientific and cultural exchanges.

3.4 Inter-governmental arrangements promoting scientific cooperation in general:

(a) European Communities

Since the research activities of the Communities stem naturally from their sectoral interests, their Committee for Research in Science and Technology (CREST) is concerned mainly with applied and technological research. The UK lead in relation to CREST is therefore taken by the relevant Division in the Department of Industry, after consultation with other relevant Departments including the Department of Education and Science, which brings in the Research Councils as appropriate. The MRC is represented on the Sub-Committee of CREST dealing with medical and public health research (CFM) and the SRC is represented on the Data Processing (Information) Training Group of CREST. The ARC, together with the Ministry of Agriculture, Fisheries and Food, provides the UK representation on the Standing Committee of the Brussels Commission on Agricultural Research (SCAR). Briefing for the UK delegates to the Committee for Scientific and Technical Information and Documentation (CIDST) is provided by an interdepartmental committee which is serviced by the Department and the British Library and includes Research Council representatives.

(b) Organisation for Economic Cooperation and Development (OECD)

The Department, in conjunction with the Department of Industry, acts as a briefing focus for coordinating UK views on subjects before the OECD Committee on Scientific and Technological Policy (CSTP) which provides a forum for the discussion and study of various aspects of policy in the fields of science and technology (including the social sciences) which are of concern to OECD member countries. The two Departments jointly provide the UK delegation to the Committee.

(c) North Atlantic Treaty Organisation (NATO)

A primary aim of the NATO Science Committee since its establishment in 1958 has been to further international scientific cooperation between scientists from the member countries of the Alliance. The UK contribution to the Committee's work is met from Science Budget funds

/through

through the SRC. The Committee has endeavoured to provide substantial support for almost all fields of basic science in order to enhance the dissemination and exchange of knowledge, and the activities undertaken under its auspices provide opportunities for advanced instruction, by way of science studentships and fellowships, and for multi-national collaborative research. The Committee has also identified specific areas for special encouragement or support for limited periods.

(d) United Nations Educational, Scientific and Cultural Organisation (UNESCO)

The Overseas Development Administration is the lead Department for UNESCO activities, but the Department and the Research Councils have varying degrees of involvement in some of the scientific programmes. The UK National Commission for UNESCO is advised on scientific matters generally by a committee which is serviced by the Royal Society and the Overseas Development Administration and includes a Departmental representative. Man and the Biosphere is a broadly-based UNESCO programme aimed at the development of an integrated approach to the study of man's inter-action with the environment. Overall policy is determined by an International Coordinating Council. National coordination is developed by national committees. The UK committee is serviced by the Department, and the ARC, NERC and SSRC are represented on it.



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

Chancellor of the Duchy of Lancaster

5th February 1981

PRIME MINISTER

Dear Nick,

Yes not

Happy with this?

The important bit is at the

You will recall that we still owe a letter to Mr Du Cann about the decision not to extend the existing powers of Select Committees to appoint sub-committees during the present Session, and Mike Pattison wrote to me on 29 December about the response originally proposed.

very end

MS

5/2

...

Mr Pym has now had a chance to consider this matter and I enclose a draft letter which, subject to any comments which the Prime Minister may have, he proposes to send.

I am sending copies of this letter to John Halliday (Home Office) and Murdo Maclean.

Yours ever,

Robin

R A BIRCH

N Sanders Esq
10 Downing Street
LONDON SW1

DRAFT LETTER

SUB-COMMITTEES OF SELECT COMMITTEES

You wrote to my predecessor on 11 December about the power of departmental Select Committees to set up sub-committees, and you referred to this extension during your speech in the debate of 16 January on Christopher Price's Motion concerning the powers of Select Committees to call for persons, papers and records. I am sorry that you have had to wait so long for a reply but I have now had an opportunity of considering this issue and also the previous representations by the Liaison Committee and by individual Select Committees.

I should like first to say that I am very grateful for the considered way in which the Liaison Committee's recommendations on this subject have been put forward, and to assure you, and the other members of the Committee, that I fully recognise that in deciding to support the applications of individual Select Committees you will have given due weight to all the relevant circumstances. In particular, I recognise the limitations which the present position may impose on a Select Committee lacking the power to establish a sub-committee if it wishes to pursue more than one enquiry at a time.

Having reviewed this question carefully, however, I find myself most impressed by the consideration that the new system of Select Committees is only twelve months or so old, and is therefore still to be regarded as running itself in.

Contd

I believe that it has made a good beginning, but before making further decisions as to what adjustments may be appropriate we need rather more time to judge its working and the weight of the demands which it is making on departments.

In addition to that consideration, there are signs that, for some departments at least, these demands are quite heavy especially in terms of the time of Ministers and senior officials. At a time when Government is seeking to restrain the scope of its activities and redirect its manpower resources, we need to be sure that any future increase caused by extension of the work of Select Committees would not tend to frustrate this object. I am afraid, therefore, that I have to say that I do not foresee being in a position this session to bring forward proposals for the grant to any further Select Committees of the power to establish sub-committees. I realise that this will be a disappointment, but assure you that my decision in no way detracts from the Government's general pledge of support for the work of the departmental Select Committees.



01-930 5422 ext

E B C Osmotherly Esq
Civil Service Department
Old Admiralty Building
Whitehall SW1

Parwanet ✓
MS

CABINET OFFICE
70 WHITEHALL
LONDON SW1A 2AS

6 January 1981

Dear Edward.

You will remember that before Christmas we had been considering a letter from Mr Edward du Cann to the former Leader of the House about the standardisation of the form in which Government replies are made to select committee reports. I attach a copy of Mr du Cann's original letter and of the holding reply which was sent to him on 15 December.

It seems to me that the substantive reply on this need not differ materially from the line provisionally taken in the interim reply. It would seem desirable for Ministers to retain as much flexibility as possible in the manner in which "replies" to select committee reports are made, and the considerations of administrative tidiness to which Mr du Cann refers seem insufficient to override this. As regards the variety of ways in which "replies" can at present be made, you may recall that some of this ground was also gone over when we were considering Nick Sanders' suggestion earlier last year for tightening up the procedures for the clearance of "replies" to select committee reports.

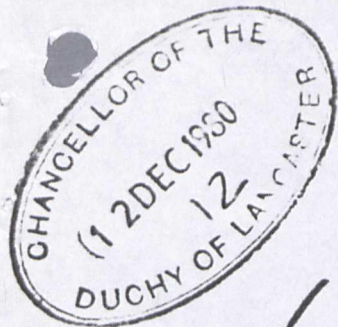
I should be grateful to know if you have any further thoughts, beyond those touched on in the interim reply, on the way in which the need to keep the present range of alternative forms of "reply" could be justified. The only *douceur* that I can think of is that we might undertake that when a reply to a select committee report is to take the form of a written answer we would always ensure that a copy is sent to the chairman of the select committee at the same time as a reply is sent to the Member who tabled the arranged Question. One of the advantages of the use of a written answer form of reply can, of course, be that it avoids any printing delays, and may, like a Ministerial Statement, be the quickest way of putting a Government response on public record. A reply in the form of a letter to the chairman of a select committee may not be published for some time, nor indeed at all.

I am sending copies of this letter to Nick Sanders[✓] (No 10) and to Murdo Maclean.

*Yours sincerely,
Michael Parwanet.*

M W Townley

From: Rt. Hon. Edward du Cann, MP



11^h December 1980

HOUSE OF COMMONS
LONDON SW1A 0AA

Adam Plem
Ben Fernside

E. du Cann

GOVERNMENT REPLIES TO SELECT COMMITTEE REPORTS

As you know, Government Departments are expected to make a response to Select Committee reports within two months and these play an important part both in the dialogue between committees and Departments, and in any subsequent consideration of the matter by the House.

Departments make their replies in a number of different ways - principally by Command Paper, or by a memorandum to the Committee which the Committee then publish as a Special Report. A recent case was brought to the Liaison Committee's attention in which a reply was made by means of an answer to a Written Question. We think this is an unsatisfactory means of response, since there is then no document in the House's series of papers, nor in the Command Paper series, to which reference can be made: nor are Members so aware of the existence of the answer as they need to be.

The Liaison Committee therefore wondered if arrangements could be made for Departments to be told that their Replies to Select Committee Reports should always be by a memorandum to the Committee, or by a Command Paper?

On this general subject, you may remember that the Procedure Committee recommended (Para. 6.17 of their Report) that a record of Select Committee Reports, and the Replies thereto, should be included in the sessional Select Committee Return. Can I take it that this idea would carry your approval?

Y *E*

CHAIRMAN OF THE LIAISON COMMITTEE

Rt. Hon. Norman St John-Stevas MP



Chancellor of the Duchy of Lancaster

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

15 December 1980

De Edward

GOVERNMENT REPLIES TO SELECT COMMITTEE REPORTS

You wrote to me on 11 December suggesting that in future Government replies to select committee reports should take the form exclusively either of a Command Paper or a memorandum to the select committee concerned.

As you point out, present practice permits replies to select committee reports to take a number of other forms, for example, replies to arranged written questions or Ministerial statements or speeches in the House. In deciding which of these methods to follow Ministers and Departments seek to adopt that which seems best suited to the circumstances of the particular reply. For example, in some instances a Minister may be especially concerned to answer criticisms made in a select committee report on the Floor of the House, or to take the opportunity of a debate to give at least a first reaction to a report.

I fully accept, however, that this is a matter to be determined by the convenience of Members generally. I shall be considering your suggestion further and will let you have a substantive reply as soon as possible.

James Ha

The Rt Hon Edward du Cann MP



10 DOWNING STREET

From the Private Secretary

29 December 1980

Dear Robin

The Prime Minister has seen your letter of 22 December to Nick Sanders, about the Chancellor of the Duchy's response to Mr. Edward du Cann on the subject of sub-committees for select committees.

She has commented that it seems wrong to base the decision entirely on economies in public service. The Prime Minister believes that the Government would not want more sub-committees on other grounds, and that it would therefore be mistaken to rest the argument on this single point.

In the light of these comments, you will no doubt wish to consider an alternative answer which leaves options more open for the longer term future.

I am sending a copy of this letter to John Halliday (Home Office).

Yours ever

Mike Pattison

R.A. Birch Esq
Chancellor of the Duchy of Lancaster's Office.

MS - 1A now
NJS to see

MFT

CF

SS



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

Chancellor of the Duchy of Lancaster

22nd December 1980

*It seems wrong to put the decision
on economies in public
service. We should not
start more sub-committees
grant for that reason
PRIME MINISTER
Content with this line?
MS
23/12*

Dear Nick,

(it was not)

Mr Edward du Cann, the chairman of the Liaison Committee, has written to the Chancellor of the Duchy, as attached, seeking confirmation that the Government does not propose to recommend any further grant to select committees of powers to establish sub-committees during the present session.

In the light of the decision reached by the Home Affairs Committee on 21 October (H(80)21st Meeting) the Chancellor of the Duchy proposes to reply as follows:-

"You wrote to me on 11 December asking for confirmation of the Government's general position with regard to the grant to select committees of any further powers to set up sub-committees.

The Government's view is that at a time when it is necessary to make all possible economies in the public service, and to avoid placing further demands upon it, it would not be right to extend the powers of the Departmental select committees to establish further sub-committees. In these circumstances I would not expect to recommend any such extensions to the House during this session."

I should be glad to know if the Prime Minister would be content with a reply in these terms. I am copying this to John Halliday (Home Office).

Yours ever,

Robin

Nick Sanders
Private Secretary
10 Downing Street
London

Enc



From : Rt. Hon. Edward du Cann, MP

MT
LH
WH



11th December 1980

HOUSE OF COMMONS
LONDON SW1A 0AA

Ed Cann

I know that some Committees have approached you with a request for power to set up a sub-committee. We have corresponded on the matter before.

The view of the Liaison Committee has always been, and continues to be, that if a select committee wishes to have a sub-committee, it should be so allowed.

I appreciate that it is possible to put forward counter-arguments, and that these have so far led you to take a different view. What I think would be helpful would be for you to let us know definitely if you would expect any or all committees to be allowed this power in, say, the current session.

I appreciate that any decision on this score is likely to upset someone or other, but the alternative to taking a firm decision is a rising irritation amongst committee members which, in the long run, may prove even more troublesome.

Norman St John-Stevas

CHAIRMAN OF THE LIAISON COMMITTEE

Rt. Hon. Norman St John-Stevas MP

cc Press Office

NTS to see

Parliament MP 11/12



QUEEN ANNE'S GATE
LONDON SW1H 9AT

10 December 1980

Dear Graham

... I attach a letter about the report of the Parliamentary Home Affairs Committee on Home Office Reports.

I should add that I am releasing my letter to the Press; I did not want to make this explicit on the face of the reply.

Graham Page

The Rt Hon Sir Graham Page MBE MP



QUEEN ANNE'S GATE LONDON SW1H 9AT

10 December 1980

Dear Graham

I have just read the report of the Parliamentary Home Affairs Committee on Home Office reports.

I think I should say straight away that the comments made in the report are essentially comments about the action taken by me and my predecessors as Home Secretary. Home Office officials made clear in evidence to the Committee that they "have naturally to work in accordance with the priorities and policies of the Government of the day".

In view of the nature of the Report I regret that I was not asked to give evidence to the Committee. If I had done so, I would have explained what has been done during my period of office, for which I take full responsibility. Priorities in these matters are set by Ministers.

I would also have explained that the reports the Committee considered raise matters of major public policy of concern to Parliament. The pressures on Parliamentary time, for debates and legislation, are the main determinant of the speed at which action can be taken. For these reasons I do not accept that there has been any lack of a sense of urgency.

In view of the terms of the Committee's Report I decided to write personally to you immediately. The Government will of course reply in the normal way to the Report.

Yours
Walter

The Rt Hon Sir Graham Page, MBE, MP.



10 DOWNING STREET

From the Private Secretary

28 November, 1980.

Dear John

Replies to Select Committee Reports: Procedure
for Clearance

Paragraphs 95, 96 and 99 of "Questions of Procedure for Ministers", taken together, lay down a procedure for clearing major Government announcements with No.10, the Leader of the House of Commons, and the Paymaster General. There has, I think, been some uncertainty over the last few months about whether these procedures should be applied to draft replies to Select Committee reports.

The Prime Minister has now asked that where replies to Select Committee reports take the form of Command Papers, statements in the House, or answers to Parliamentary Questions, the terms of paragraphs 95, 96 and 99 of "Questions of Procedure" should be followed.

There are other forms of reply, such as letters from the responsible Minister to the Chairman of the Select Committee. In such cases, it should be a matter for judgement by the Department concerned whether it is necessary to use the full clearance procedure. The criterion for this decision should obviously be the degree of public and Parliamentary interest likely to be aroused by the reply.

If anyone has doubts about how any of the principles set out in this letter should be applied to a particular case, we should be happy to offer advice.

I am sending copies of this letter to the Private Secretaries to the Members of the Cabinet (including the Minister of Transport), to Murdo Maclean (Chief Whip's Office) and David Wright (Cabinet Office).

Yours ever

Nick Saden

J.F. Halliday, Esq.,
Home Office.

PRIME MINISTER

Draft Replies to Select Committees

We are now beginning to receive draft replies to Select Committee reports, reflecting the much greater work rate of Select Committees last year.

The existing procedures for dealing with these draft replies do not require departments to let us know what is going on, and you will remember that we had a difficulty with the Foreign Office earlier in the year when we did not know about their reply on the Brandt Report (and might have wanted to amend it if we had known about it).

Are you content for me to change the Whitehall procedures slightly, so that important draft replies to Select Committee reports are submitted to us before the draft has been finalised, so that we can keep an eye on things?

*Yes please
not*

MS

26 November 1980



Parliament

B/F on 7/11
MS

CABINET OFFICE

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

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

4th November, 1980

Ref. A03429

Dear Nick,

Replies to Select Committee Reports: Procedure for Clearance

You sent me a copy of your letter of 22nd October to Robin Birch. I am sorry not to have responded by the deadline you suggested but, as Wilfred Hyde mentioned to you on the phone, the point is not altogether straightforward. Replies to Select Committees can and do take a variety of forms.

Sometimes the reply is presented as a Command Paper (see paragraph 59 of the Memorandum of Guidance for Officials). Sometimes (see paragraph 60 of the Memorandum of Guidance) it takes the form of a departmental written memorandum to the Committee or a letter to the chairman. As an example of the latter I enclose a copy of a recent letter from the Secretary of State for Trade about the report on the radar replacement programme. Sometimes there is a written answer to an arranged PQ or a Ministerial statement in the House, either independently or in the course of debate.

Paragraph 96 of Questions of Procedure clearly applies to the more important of the announcements made by Ministerial statement or in answer to a PQ, while paragraph 99 of Questions of Procedure applies to Command Papers. In so far as you have it in mind to remind Departments of the relevance of those paragraphs, there would clearly be no difficulty.

I am not sure, however, whether you had it in mind to go further and ask for No. 10 to be consulted in advance about the other forms of reply - for example, a letter from a Minister. Our feeling, subject to any comments you or others may have, is that it is not necessary to go as far as this, especially since some replies may be no more than formal, explaining why a substantive reply cannot be given within the normal two-month period. Would you be content to remind Departments of the need to ensure that they follow the terms of paragraphs 95, 96 and 99 of Questions of Procedure when replies to Select Committee Reports take the form of PQs, statements and White Papers but to leave it to them to judge whether a reply in any other form requires clearance with No. 10?

/I am

N.J. Sanders, Esq.



I am copying this letter to Robin Birch, Murdo MacLean and Richard Prescott and, with a copy of yours, to Jeremy Colman.

Yours ever,

David

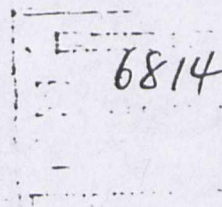


From the Secretary of State

The Rt Hon Sir Geoffrey Howe QC MP
Chancellor of the Exchequer
HM Treasury
Parliament Street
SW1

24 October 1980

Dear Geoffrey,



SELECT COMMITTEE ON INDUSTRY AND TRADE

The Select Committee on Industry and Trade reported in July 1980 on the radar replacement programme of the Civil Aviation Authority - session 1979-1980 (HC700; 442-x). The Committee's interest in the subject was stimulated by the CAA's decision to buy some radar equipment from the Netherlands but their report does go rather wider and makes recommendations about procurement policy generally.

We now need to consider our response to the Committee. I do not myself think that the subject merits a response in the form of a White Paper, or even a Parliamentary Statement, because the CAA order was not all that important. I would prefer to send a letter to the Chairman which gives a general indication of our policy. To do more than this, by referring to specific changes in our arrangements for CAA purchases could cause us problems if our foreign, and particularly our EC, competitors were to seize on them as evidence of discrimination in public purchasing.

I should be grateful for your approval of the attached draft text in time for me to reply to the Committee before the House returns.



From the Secretary of State

The Department of Industry has a considerable interest in the wider issues and I am therefore copying this letter to Sir Keith Joseph and to Norman St John Stevas, Paul Channon, Sir Robert Armstrong and Robin Ibbs.

Yours ever
John.

JOHN NOTT



From the Secretary of State

Sir Donald Kaberry BT TD MP
Chairman
The Industry and Trade Committee
House of Commons
London SW1A 0AA

October 1980

Following consultation with my colleagues, I am replying to the Second Report from the Industry and Trade Committee, Session 1979/80 (HC700: 442-x); Civil Aviation Authority; Radar Replacement Programme.

We note that the Committee has used its investigation to draw important conclusions on public purchasing. We agree with these conclusions and welcome them. I assure the Committee that the Government is fully committed to a policy of this nature, consistent with its international obligation.

The establishment of a closer relationship between public sector purchasing organisations and their suppliers will bring benefits for both sides. It is particularly important that there should be early, and continuing, discussions about future requirements. Close liaison between customers and their suppliers during the period when specifications are being drawn up should place industry in an excellent position to offer competitive tenders.

The Government's views are set out in the Memorandum by the Secretary of State for Industry on "Public Purchasing". This Memorandum (NEDC(80)44) was discussed at the July meeting of the National Economic Development Council where it was supported by the Council. A copy of this Memorandum has already been placed in the Library of the House but I attach a further copy for ease of reference.



From the Secretary of State

The Civil Aviation Authority is very much aware of the Government's general policy on public purchasing. As a result of the experience of the radar replacement contract, and with your Committee's recommendations very much in mind, my officials have set up improved arrangements to bring together the CAA and the Department of Trade on the one hand and the Department of Industry and the appropriate trade associations on the other.

You may take it that my Department, and the others concerned, will continue to keep a careful watch to see that these arrangements operate effectively.

JOHN NOTT

✓
M
Parliament

SPEECH BY THE CHANCELLOR OF THE DUCHY OF LANCASTER IN
PROCEDURE DEBATE - 30 OCTOBER 1980

1. This debate, Mr Speaker, has been subject to some vicissitudes. I am very glad that we have now been able to find time for it since it marks the final stage in the carrying out of the Government's pledge to give the House an opportunity to reach conclusions on the recommendations contained in the major report of the Procedure Committee to which the Motion refers. There is no doubt that this report has been of outstanding importance in the development of our procedures and in opening the debate I would like to pay, as it were, a final tribute to the Honourable Member for Warrington, who chaired the Committee, and to his colleagues.

2. Last year the House accepted our recommendations to adopt, with only minor changes, the recommendations in that report for the establishment of a comprehensive system of departmental Select Committees. I believe that we can already see that the establishment of these Select Committees represented a major improvement, as it was intended to do, in our system of Parliamentary scrutiny of the work of the executive.

3. Also, as a result of the recommendations of the Procedure Committee and of the decisions which the House took in October last year, we have made some changes in our arrangements on

/ Fridays,

Fridays, have adopted some of the minor changes in public bill procedure recommended in the report, and you, Mr Speaker, have been conducting an experiment to permit short speeches in Second Reading debates between 7 and 9 o'clock.

4. I mention these matters, not because I want to pursue any of them today, but rather to emphasise that today's debate takes place against the background of a considerable degree of procedural change and debate which has already taken place since the present Government was elected. We have thus, I believe, made good the claim in our election manifesto that we recognised that Parliament and no other body stands at the centre of the nation's life and that we will seek to make it effective in its job of scrutinising the work of Ministers. It is the Government's wish, and certainly my wish as Leader of the House, to continue in this aim.

5. The Motion before the House today relates to the outstanding recommendations in the report on Public Bill Procedure - those on delegated legislation, on European Communities legislation and on financial control. The Government have tabled a number of Motions on these matters. As you have explained, Mr Speaker, the House will have an opportunity to come to a decision on them and on the amendments tabled to them at the end of the debate. In these opening remarks, Mr Speaker, I

/ would like

would like first to make one or two general points about the way in which the Government has approached the debate and then to deal relatively briefly with at least the most significant of the Procedure Committee's recommendations. Procedure is a complicated subject which is perhaps too often left to the procedural experts and, although I do not count myself among their number, I will try to deal as best I can with more detailed points if I obtain the leave of the House to speak again at the end of the debate.

6. In preparation for this debate I had, as Honourable and Right Honourable Members will know, consulted very widely in the House before the recess. These consultations showed, on the one hand, a general wish for Parliament to continue to adapt its procedures to provide the more effective scrutiny of the Government to which I have already referred. They showed also a recognition that a Government, of whatever party, has a legitimate need to be able to secure the passage of its legislation. These two aims have to be kept in balance. There is one other general point which I would like to emphasise; we have to ensure that the procedures of the House do not place unreasonable or unnecessary demands on Honourable Members. The House already carries a heavy legislative burden and the hours of sitting, taking account also of the work of Select and Standing Committees, are extremely long by the standards of other legislatures. It is the Government's aim that in future

/ sessions

sessions the burden of legislation can be made less onerous by the simple expedient of having less of it! But less legislation, though important, is not the whole answer; the effect of procedural changes has to be viewed as a whole and individual changes which appear desirable when viewed in isolation may, when taken together, add unduly to the burden on Right Honourable and Honourable Members. We on this side of the House - and I believe at least some Right Honourable and Honourable Members on the other side - believe that there will always be a place for Members of Parliament who combine their work in this House with work outside it. It is with these general considerations in mind that the Government have reached their conclusions on the particular recommendations on which the House is concerned today.

7. In the first group, concerning public bill procedure, the most important recommendation is Recommendation 5, whereby Standing Committees might in future be permitted to hold up to three sittings in Select Committee form for the purpose of taking evidence in public. As the House will see, the Government have tabled a Motion based on that recommendation, but I must make clear the basis on which we have done so.

8. Looking at the evidence given to the Procedure Committee and taking account of my own recent consultations, there can be no doubt that many Honourable Members consider that the present

"line-by-line"

"line-by-line" scrutiny of legislation in Standing Committee provides an inadequate means of examining a bill. It is equally clear, however, that there are very different views as to the best way of improving the present procedure. Some would like a pre-legislation Committee set up to examine proposals before bills are introduced. Others would like the majority of bills examined through a Select Committee Procedure, as well as or instead of, the present Standing Committee arrangements. The Procedure Committee's recommendation is very much in the nature of a compromise between leaving things as they are and these more radical proposals. It is not necessarily the worse for that, and indeed the support given to the Early-Day Motion in the name of my Right Honourable Friend, the Member for Taunton, showed widespread support for the proposal. But even this proposal would introduce a radical change into our procedures and would graft an inquisitorial procedure on to a Standing Committee procedure which, like that in the chamber itself, is essentially adversarial.

9. My own view is that acceptance of the recommendation would provide a means of improving the scrutiny of some of the bills that come before us, especially where the differences of opinion cut across party lines. What we have in mind is that we should next session undertake an experiment with the new procedure and, if the House accepts the Motion we have put down,

/ select perhaps

select perhaps three Government bills which raise substantial issues, not of acute party controversy, and refer them to a special Standing Committee.

10. The Procedure Committee itself recognised the need for any Government to retain control of the legislative timetable, and that is why the Motion proposes that the new evidence-taking sessions must be concluded within twenty eight days from the date of the committal of the Bill.

11. It is in the nature of any experiment that the way in which it works will only emerge as we gain experience. My consultations have, however, shown a very real anxiety that the new procedures should not compromise the accepted impartiality of the present chairmen of Standing Committees. That is why we are seeking power for you, Mr Speaker, to nominate a Right Honourable or Honourable Member to take the chair during the new evidence-taking sessions when, if the practice of the present Select Committees is followed, the chairman will play an active part.

11A. I would expect that both Government departments and interested outside organisations would be invited to give evidence to the new committees. The Minister in charge of a Bill referred to a special Standing Committee will, of course, be a member of the Committee throughout its proceedings, and be able both to take part, if that is appropriate in the questioning

/ of witnesses

of witnesses, and himself to appear as a witness at the evidence-taking sessions if necessary. I believe conventions will be worked out to facilitate this dual role of assistance to the Committee. Other Ministers with an interest in the Bills concerned will make themselves available to give evidence as required by the Committees.

12. The Motion before the House provides for this experiment to be undertaken for a single session, but we might well need to prolong it beyond that before we can reach a final judgment on its effectiveness.

13. We also ask the House to agree to an experiment covering the same Bills on the lines of Recommendation 6 in the Procedure Committee's report. A special Standing Committee could reconvene before reporting the Bill to the House for the purpose of considering amendments arising from undertakings given during the Committee stage. We shall have to see whether this idea succeeds in saving subsequent time on report. I should perhaps add here that Hansard will be responsible for the report of proceedings in these Committees. I understand that this may have implications for the present rules on making transcripts available to Members.

14. Recommendation 8 proposes the prescription by Standing Order of minimum intervals between the stages of Bills, and Recommendation 9 proposes a number of changes in the present

/ procedures

procedures for guillotine Motions. The Government accept the spirit of both these recommendations. I hope the House would agree, however, that it is not necessary to enshrine them in Standing Orders. In every session there is likely to be some emergency legislation and if it were necessary to seek to suspend a Standing Order to enable the House to deal with such legislation it would complicate our business.

15. As regards guillotines, I think I can legitimately claim at the end of a very long and busy session that this Government, unlike some of its predecessors, has been sparing in the use of such Motions. But if the precise recommendations of the Procedure Committee were embodied in Standing Orders it might on occasion mean that more time would be taken up in what are never very constructive debates.

16. I turn now to the section of the report dealing with delegated legislation. It will not have escaped the notice of the House that the Government have not tabled any Motions recommending implementation in this section of the report. I need to explain why. It is certainly not because we regard the recommendations as unimportant or because we think the present arrangements are in all respects satisfactory. But we do believe that the proposals made by the Procedure Committee have their own difficulties. For instance (Recommendation 15), it is both our view and our practice that debates on statutory instruments and prayers should not be held until the Joint

/ Committee

Committee on Statutory Instruments has had the opportunity to consider the instrument concerned. But there must occasionally arise circumstances - and Ministers will do all they can to keep them as few as possible - when there is an overriding need for an immediate debate.

continued/ The most important ...

17. The most important recommendation in this group is probably Recommendation 18, which seeks to give more powers to the existing Standing Committees on Statutory Instruments. The problem here is that the changes proposed would lengthen the time spent by Members in these Committees and would require more Members to be present, and let us not delude ourselves that it is always easy to secure Members' attendance. The House has placed considerable additional burdens on the time of back-benchers by the establishment of the strengthened departmental Select Committees. The proposals for special Standing Committees to consider bills would also make additional demands both on Members and on the staff of the House. It was therefore necessary for us to balance the potential improvement in the effectiveness of the scrutiny given to statutory instruments which the Procedure Committee and individual Honourable Members very understandably wish to achieve against the additional burden on Members and the pressures on the timetable of the House that would be entailed. On balance, we have concluded that we should not advise the House to make these particular changes.

18. Finally, in dealing with delegated legislation, there are Recommendations 19, 20 and 21. They are addressed to the House and its Committees rather than to the Government. It is not, in our view, necessary to make any amendment to Standing Orders to achieve the object of these recommendations.

19. I now turn, if I may, to the recommendations on European Communities legislation. This is a subject of very considerable interest to Members on all sides of the House, and I hope the House will therefore forgive me if I go through the relevant recommendations, numbers 22-30, in a fair amount of detail.

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I am happy to endorse the recommendations (nos 23 and 24) that there should be no extension of the powers of the Select Committee in European Legislation and that Departmental Select Committees should be free to consider the merits of EC documents within their own sphere of influence. It must be right that consideration of merits falls to the specialist Committees. I congratulate the Scrutiny Committee in implementing recommendation 24 to supply the Select Committees with material relating to documents in their own field. I need hardly add that the Government is also willing to supply such material in the usual way.

20. Recommendation 25 is a key recommendation. It recommends a declaratory resolution setting out the circumstances in which the Government should be permitted to give their approval to EC legislation. I say European Community as we are concerned with legislation made under the Euratom Treaty and European Coal and Steel Community Treaty as well as under the European Economic Community Treaty. As witnessed by the undertaking I gave the House on 13 July last year, the Government readily agree that wherever possible the House should have the opportunity to discuss documents recommended to it by the Scrutiny Committee prior to agreement being given in Brussels. I believe that the House would value that voluntary undertaking being framed in a declaratory resolution of the House. Both the Government and the Scrutiny Committee have thought long about the content of such a resolution. I am happy that the Scrutiny Committee have reached a similar conclusion to our own. The resolution embodied in the motion we have tabled follows very closely the wording provided by the Scrutiny Committee. In so doing it departs from the suggestion of the Procedure Committee which favoured a firm

commitment never to give final approval to a document which still requires debate. I do not think that this is realistic; and I am not convinced that a totally binding resolution would best serve the interests of the United Kingdom.

21. Of course the government should make every effort to ensure that a debate is held but we cannot avoid the rare occasion when world and Community events move so fast that there is no time to do so. Our summer recess alone can give rise to problems because the Council of Ministers meet in every month except for August. I consider that the provision that a Minister must at the first opportunity explain to the House the reason for giving agreement prior to a debate should safeguard that exceptions to the general rule are only made when it is absolutely necessary. And I believe our practice since the Election has followed that course.

22. Turning to the recommendations that the Government should provide time for debates on consultative documents and that debates should be on substantive motions, time has passed since the recommendations were made and I think that these are largely met. It has become the general practice to table motions which express a view of the proposals under debate.

23. I come now to the important recommendation (28) concerning Standing Committee procedure. As the House will see from the motion we have recognised that consideration of European Community documents is different from that of our own statutory instruments and have therefore tabled separate standing orders. The House have not found the existing procedure satisfactory and it has therefore been necessary to take many documents at a late hour on the floor of the House. The Procedure Committee

suggested detailed changes: I believe the core to be that the debate should take place as an amendable motion which puts all debates on Community documents whether on the Floor or upstairs on a par and that up to two and a half hours should be allowed for it.

24. From my soundings I do not think that there is a general will to abolish the right of 20 or ^{more} Members to block a reference upstairs. Nor do I see a need to complicate the orders by adding that where a reference is blocked time must be found within 7 days on the Floor. I am sure that the House will agree that the undertaking to debate documents prior to agreement should safeguard their position; in making references the government will also bear in mind that the House will continue to wish to discuss the more substantive proposals on the Floor of the House. The revised Standing Orders I propose therefore build on but improve existing tried and established procedure; I would hope that the House would agree that a 2½ hour discussion on an amendable motion at a reasonable time of day is such an improvement.

25. Recommendation 29 to keep the House informed of the progress of documents through the often lengthy proceedings of Community Institutions presents real practical problems. We have to balance the work involved in relation to the end achieved. Updated Explanatory Memoranda are submitted where proposals have been significantly altered; these will continue to be provided as and when appropriate. We will as far as we can ensure that the Scrutiny Committee has further information about the proposals recommended for debate, and about the likely timing of Council consideration.

26. New procedures have largely met Recommendation 30 on the Definition of Treaties Orders. The Procedure Committee also asked that the Explanatory Memoranda printed at the back of such Orders should be more informative. I agree that the very brief Notes may seem unsatisfactory but the problem stems from the technical nature and narrow legal effect of such orders; we will however use our best endeavours to see that further factual information can be given without misleading the House as to the purpose of the Order. The title of Treaties which are the subject of such orders are now included as a matter of course in the title of the draft order.

27. Finally I propose to use the opportunity presented by this debate to make slight changes in Standing Orders by changing references to 'commission documents' to 'European Community documents' so that they will be brought in line once again with the terms of reference of the Select Committee on European Legislation.

28. Last, but by no means least, the Motion we are debating invites the House to take note of the recommendations relating to financial control. I can deal quite briefly with the specific recommendations: those about the work of the Comptroller and Auditor General (Recommendations 66-68) have been overtaken by the publication earlier this year of the Green Paper about the role of the C & AG. The Government is awaiting the comments of those who have been consulted, not least those of the Public Accounts Committee. The Procedure Committee recommended that departmental estimates, including supplementary estimates, should be referred to the departmental Select Committees. Action has been taken to provide the committees with proof copies of the Supplementary Estimates, as recommended in the First Special Report of the Treasury and Civil Service Committee. I hope the Committees will make use of

this material.

29. More important, however, than these particular recommendations is that the Procedure Committee recognised that the system by which the House controls supply is in need of radical review. I share this view, as does my Right Honourable Friend the Chancellor of the Exchequer. The Motion on the Order Paper accordingly provides for the establishment of a select committee at the beginning of next session to examine the whole subject of our present procedures for considering and voting on Government requests for supply. This financial control is historically one of the great functions of the House of Commons. Its effectiveness in the future must be one of the principal concerns of all those determined to maintain and strengthen our Parliamentary system.

30. The range of matters within this review would include, for example, procedures for the examination of Departmental Estimates; Supply Day procedures; and the procedures for the consideration of Consolidated Fund and Appropriation Bills. Whilst a number of these procedures - for example the present use of Supply Day debates - are important to Parliament, they have in their present form undoubtedly strayed very widely from their original purpose. The task of the new committee will be to examine these and other matters within their terms of reference, and to consider in what ways the role of the House in this critical field can be made a more effective reality.

31. I shall do all I can, if the House agrees to this Motion, to enable the Committee to be established as soon as possible next session. I am sure too that the Committee will complete its work as quickly as is consistent with the

importance of the subject - I hope that it might be able to do so within one session - and so maintain the impetus of procedural reform.

32. I believe that the proposals I have put before the House, while they may not go as far as some Members would wish in implementing all of the detailed recommendations of the Procedure Committee, provide a practical and evolutionary path of continued procedural reform. Our procedures must not be allowed to become out of date, but equally, change should, in my view, proceed by way of evolution and not revolution. We have in this country an essentially cameral system of Parliament. To meet the complexities of modern Government we have increasingly added to that Parliamentary system, based on the Chamber of the House of Commons, a series of committees. I think we were right to do so, and if the House passes the Motions put before them today we shall embark on a further development of the committee system. The Chamber and the committees have to be kept in balance, just as the ability of Parliament to scrutinise the work of the executive has to be brought into balance with the need for effective democratic Government. It is because I believe the proposals I have put forward achieve a reasonable point of balance that I commend them to the House.



10 DOWNING STREET

BF 29.10.80

From the Private Secretary

22 October 1980

REPLIES TO SELECT COMMITTEE REPORTS: PROCEDURE FOR CLEARANCE

Earlier this year there were a couple of occasions on which draft replies to Select Committee Reports were not cleared with No. 10 before publication day. If you and everyone else receiving this letter are content, we propose to send round a reminder that replies to Select Committee Reports should be treated in the same way as White Papers, in accordance with the procedure set out in paragraphs 96 and 99 of "Questions of Procedure". If I may, I will take silence as consent if I hear nothing by Wednesday 29 October.

I am sending copies of this letter to Murdo Maclean (Chief Whips Office), Richard Prescott (Paymaster General's Office) and David Wright (Cabinet Office).

N. J. SANDERS

Robin Birch, Esq.,
Chancellor of the Duchy of Lancaster's Office.

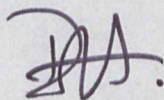
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MR PATTISON

TREASURY AND CIVIL SERVICE SELECT
COMMITTEE

This minute is to let you know that arrangements have now been made for Sir Derek Rayner to appear before the Sheldon Sub-Committee at 4.30 pm on Wednesday 29 October. He will be accompanied by Mr Priestley.

I am copying this to Mr Birch (Chancellor of the Duchy of Lancaster's Office), Mr Colman (Civil Service Department), Mr Taylor (HM Treasury) and Mr Wright (Cabinet Office).



D R ALLEN

6 October 1980

Parliament
~~MAP(0/R)~~
to see
MS
7/10



PERSONAL

- ~~Tim Lankester~~

Your Ref

with compliments

J B UNWIN

Treasury Chambers
Parliament Street
London SW1P 3AG
Tel: Direct Line 01-233
Switchboard 01-233-3000

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With - to see
oh Jim Hales MS
29/9
Parliament
Mr

FC/CHANCELLOR

- cc Chief Secretary
Financial Secretary
Sir Douglas Wass
Mr Burns
Sir Anthony Rawlinson
Mr Ryrie
Mr Littler
Mr Middleton
Mr Britton
Mr Cassell
Mr Monck
Mr Mower
Mr MacAuslan
Mr Ridley
Mr George } B/England
Mr Walker }

TREASURY AND CIVIL SERVICE COMMITTEE

Mr Hubback telephoned last evening with a request from the Committee that the Chancellor should meet them before Parliament reassembles. The request followed the private meeting of the Committee earlier in the day, and a separate discussion with Mr du Cann prior to which I had put informally to Mr Hubback the arguments against such a proposal and asked him to make sure that Mr du Cann was aware of them.

2. The invitation (at my request) will be put in writing. It was, however, in the following terms. The Committee want to examine the Chancellor and the Governor on recent developments and to consider how far a reassessment of policy is necessary. They would like the meeting to take place as soon as practicable after Monday 13 October, and their strong wish is that it should take place before Parliament reassembles. They would like a reply by about 6 October. They assume the Chancellor and the Governor would come separately, and will leave it to them to decide who should come first.

3. I assume the Chancellor, as we discussed briefly the other day, will want to decline the invitation. If so, the question is how such a refusal should be justified and expressed.

4. It seems to me that the following points could be made:-

- (i) The more political point about not appearing before the Committee when the Prime Minister has refused to

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reconvene Parliament early in order to debate the economic situation. This is a more political than constitutional point - the Committee are entitled to sit during the recess - and the Chancellor will want to consider himself how this might best be deployed.

(ii) The Chancellor can reasonably point out that he saw the Committee on 28 July, he will have been away at the IMF and Party Conference until the week beginning 13 October, and it would simply be too soon and quite unreasonable to expect him to prepare himself for a further interrogation before Parliament reassembles.

(iii) The main point of substance, however, is that it really will not make sense to appear before the Committee at this time. Until our views and assessment on a range of important economic decisions (monetary, cash limits, public expenditure etc) have been taken further forward in the light of the autumn forecast and other available data, it will neither be sensible nor helpful to the Committee for the Treasury to appear before them as early as is proposed. We must not in any case encourage a Pavlovian tendency to summon the Treasury or Bank the instant new figures or developments occur.


5. If the Chancellor decided to frame a reply drawing on these arguments, he could nevertheless offer the prospect of a Treasury appearance later in November when key decisions should have been taken. The natural occasion for this would be in the wake of the publication of the Industry Act forecast and decisions ^{roll forward,} on/cash limits, EFLs etc, at present scheduled for 19 November. It might also be possible, if work progresses satisfactorily, for a reply from the Chancellor around the end of the first week in October to cover some of the additional material (simulations, "empirical evidence" paper) we are preparing for the Committee separately.

6. No reply is necessary until the Chancellor returns. We shall deal with press enquiries by simply saying that the Committee's request is under consideration. But you will want to send this note to the

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Chancellor so that he is aware of developments (to confirm what has already been leaked by the Committee to the press!) and can let us have any comments if he so wishes before his return.

7. I imagine that the Chancellor will also want to discuss the matter with the Governor. If it is decided that the Governor should also decline the invitation a possible way of conveying this would be for the Chancellor to cover it in his own reply.



J B UNWIN

25 September

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KWJ
LHX
CAW(OR)
to see
MS
22/8

Perham

CABINET OFFICE
Central Policy Review Staff

70 Whitehall, London SW1A 2AS Telephone 01-233 7765

From: J. R. Ibbs

Qa 05109

20 August 1980

Dear Tim

Select Committee on Energy

I enclose for your information copies of the latest exchange between the Secretary of the Select Committee on Energy and Mr Ibbs.

I am sending a copy of this letter and the enclosures to the Private Secretaries to the Home Secretary, Lord President, Chancellor of the Duchy of Lancaster, Secretary of State for Energy, Chief Whip, and Sir Robert Armstrong.

Yours ever
Gerry Spence

G B Spence

T P Lankester Esq
10 Downing Street
S W 1

Encs



CABINET OFFICE
Central Policy Review Staff

70 Whitehall, London SW1A 2AS Telephone 01-233 7765

From: J. R. Ibbs

Qa 05106

20 August 1980.

Dear Mr Doig,

Thank you for your letter dated 7 August. The answers to the four matters you raise are as follows:

1. A list of the current members of the CPRS, together with the details you request, is given in the annex to this letter.
2. The functions of the CPRS were set out in Cmnd. 4506 and in particular Section IV of that White Paper. A copy of this Section is enclosed..
3. The CPRS since its inception has kept under review the civil nuclear energy programme and its implications for both the electricity industry and the heavy engineering industry and has throughout provided Ministers with advice in this area. Questions put to and advice provided by the CPRS during this year on this subject formed part of this continuing review.
4. The responsibility for the advice to Ministers in this as in other areas is a collective one by the CPRS and in so far as there is personal responsibility this is mine as Head of the CPRS as also was the case for my predecessors. As with many other matters, questions relating to the nuclear programme overlap the time when I took over on 1 April. In preparing advice the CPRS was able to draw on the expertise and information available in the relevant Whitehall Departments, notably the Department of Energy and the Department of Industry. The CPRS also maintains contact with a range of relevant outside organisations but its approaches to these are made in confidence

D W N Doig Esq
Clerk to the Energy Committee
HOUSE OF COMMONS
S W 1

which also applies to any information it receives from them. In instances of this kind information and opinions are provided in response to questions by the CPRS and with a general understanding that they will be used only within the CPRS for the purpose of providing advice to Ministers and without identifying the source of particular items of information or opinion. There is no question of the CPRS asking for or receiving formal evidence for publication, and the readiness of the organisations and people concerned to answer our questions would be put at risk if they thought that the information was to be used otherwise than in accordance with the general understanding I have described.

*(Dictated by Mr Ibbs but signed in his
absence.)*

J R Ibbs
Private Secretary

J R Ibbs

to:

Encs

CURRENT MEMBERS OF THE CPRS

<u>Name, position, age</u>	<u>Qualifications</u>	<u>On Secondment from</u>
J R Ibbs, Head, 54	Mechanical Sciences (Camb.) Barrister-at-law, Lincoln's Inn	Chemical Industry with previous experience in the non-ferrous metal and engineering industries.
G S Downey, Deputy Head, 52	BSc(Econ.), London School of Economics	HM Treasury
J M Ashworth, Under Secretary, 41	BA Chem. (1st) (Oxon) BA Biochem. (1st) (Oxon) BSc (Oxon) MA (Oxon) PhD (Leicester)	Professor, Department of Biology, University of Essex. Opted to join Civil Service 1.4.1979.
J M Crawley, Under Secretary, 47	1st in Mod.Greats (Oxon)	Inland Revenue
N J Hartley, Adviser, 36	MA(Hons) and BA(Hons) Economics and Sociology (Camb.) BPhil. Economics (York)	HM Treasury
M A Johns, Adviser, 34	History (1st Hons) (Camb.)	Inland Revenue
P J Kind, Adviser, 35	Chemical Engineering (1st Hons) (Camb.)	UKAEA, Harwell. Previously industrial consultancy.
Janet Morgan, Adviser, 35	Philosophy, Politics and Economics (1st Hons) (Oxon) D.Phil. (Oxon)	St Hugh's, Oxford
J Q Thompson, Adviser, 36	Hons. BA Mathematics (Camb.) MSc OR & Statistics (Lancaster)	Greater London Council
A R D Norman, Adviser, 41	MA (Camb.) MBA (Columbia Business School, NEW YORK)	Management consultancy

<u>Name, position, age</u>	<u>Qualifications</u>	<u>On Secondment from</u>
T L Richardson, Adviser, 39	History (1st) (Oxon)	Foreign and Commonwealth Office
J H Rickard, Adviser, 40	MA (Oxon) MSc (Oxon) D.Phil. (Oxon)	Department of Prices and Consumer Protection now Department of Industry and Department of Trade
A E Smith, Adviser, 35	MBA (McGill, Montreal) Nat. Sciences Pt.I Tripos Elec. Sciences Pt.II Tripos	Computer Industry
P R Vaight, Adviser, 35	MA Chem. (1st) (Camb.) PhD Chem. (1st) (Camb.) MSc Statistics (Camb.)	Oil industry
J E Cornish, Adviser, 41	BA (Oxon)	Foreign and Commonwealth Office

IV. COLLECTIVE ORGANISATION FOR POLICY-MAKING

43. The Government also intend to improve, in relation both to their strategy as a whole and to their policies for public expenditure, the methods by which collective policy decisions are currently taken.

Definition of Government Strategy

44. The existing system of inter-departmental committees is designed to maintain the collective responsibility of Ministers for the Government's policies in each of the main sectors of governmental concern, by bringing together the differing views of Ministers and ensuring that the final decisions command the agreement of the Cabinet as a whole. For this purpose the system works well; and it is capable of continuous modification to meet the increasingly complex and technical character of the processes of government and administration in modern society.

45. In recent years, however, it has become clear that the structure of inter-departmental committees, each concerned with a separate area of policy, needs to be reinforced by a clear and comprehensive definition of government strategy which can be systematically developed to take account of changing circumstances and can provide a framework within which the Government's policies as a whole may be more effectively formulated. For lack of such a clear definition of strategic purpose and under the pressures of the day to day problems immediately before them, governments are always at some risk of losing sight of the need to consider the totality of their current policies in relation to their longer term objectives; and they may pay too little attention to the difficult, but critical, task of evaluating as objectively as possible the alternative policy options and priorities open to them.

46. The Government recognise that the task of producing a strategic definition of objectives, in the sense described above, is a new and formidable one and can only be approached gradually. They therefore propose to begin by establishing a small multi-disciplinary central policy review staff in the Cabinet Office.

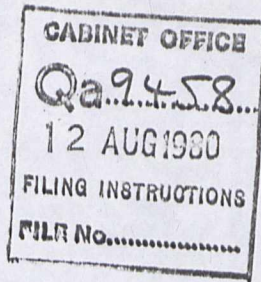
47. This staff will form an integral element of the Cabinet Office and, like the Secretariat and other staffs in the Cabinet Office, will be at the disposal of the Government as a whole. Under the supervision of the Prime Minister, it will work for Ministers collectively; and its task will be to enable them to take better policy decisions by assisting them to work out the implications of their basic strategy in terms of policies in specific areas, to establish the

relative priorities to be given to the different sectors of their programme as a whole, to identify those areas of policy in which new choices can be exercised and to ensure that the underlying implications of alternative courses of action are fully analysed and considered.

48. The new staff will not duplicate or replace the analytical work done by departments in their own areas of responsibility. But it will seek to enlist their co-operation in its task of relating individual departmental policies to the Government's strategy as a whole. It will therefore play an important part in the extended public expenditure survey process described below, and it will also be available to promote studies in depth of inter-departmental issues which are of particular importance in relation to the control and development of the Government's strategic objectives.

SELECT COMMITTEE ON ENERGY
COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 (Direct Line)
01-219 3000 (Switchboard)



7th August 1980

Dear Mr/Ms,

Following our recent correspondence on the subject of the CPRS study of the nuclear reactor programme, I have been asked to write to you to request some background information on the CPRS. The points which the Committee would like covered are as follows:-

1. What is the current membership of the CPRS (with ages, professional qualifications and Departmental experience, if any)?
2. What are the functions of the CPRS?
3. When was the question of the reactor ordering programme first referred to the CPRS?
4. Who was responsible for the Report, what source of technical advice and expertise were the authors able to draw on, and which organizations and concerns submitted evidence?

It would be appreciated if this information could be submitted by Friday 22nd August, please.

Your sincerely,
David Doig

D. W. N. Doig
Clerk to the Energy Committee

J.R. Ibbs Esq.,
Director, Central Policy Review Staff,
Cabinet Office,
Whitehall,
London SW1

Ref. A02846

MR. LANKESTER

Parliament

NBPM

MS
8/8

Evidence to the Select Committee on Energy

With his minute of ~~6th~~ August, Mr. Whitmore enclosed a copy of the letter which Mr. Ian Lloyd, the Chairman of the Select Committee, sent to the Prime Minister on ~~5th~~ August.

2. It would not be difficult to construct a reply to Mr. Lloyd, which reaffirmed the Government's readiness to provide Select Committees with information about the options open to Ministers and the considerations which govern their decisions, while making it clear that the Government could not yield on the principle of not disclosing to Select Committees the advice given to Ministers. I should be very ready to prepare such a draft, if the Prime Minister wished to consider it.

3. My own judgment coincides, however, with hers, that it would be better to let this particular matter rest, and not to reply further to Mr. Lloyd's letter. On the particular case, the Government's view has prevailed; and possession is nine points of the law. Mr. Lloyd's letter is a brave endeavour to limit the use which the Government might subsequently make of this affair as a precedent. If we have to continue the argument, it would be better to do so next time a case arises, rather than in further pursuit of the present correspondence.

4. I am sending copies of this minute to the Private Secretaries to the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster, the Secretary of State for Energy and the Chief Whip.



(Robert Armstrong)

7th August, 1980

CONFIDENTIAL

286

File



bc : Mr. Sanders

10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

EVIDENCE TO THE SELECT COMMITTEE ON ENERGY

I attach a copy of the reply from the Chairman of the Select Committee on Energy to the Prime Minister's letter of 9 July declining to let his Committee have a copy of the CPRS Report on AGR stations. As you will see, the Committee has decided to give way over the particular question of the release of the Report, but has put down a very strong marker that they are not surrendering on the general issue which they see at stake here.

The Prime Minister has seen Mr. Lloyd's letter and, subject to any advice you care to offer and to the views of the Ministers to whose Private Secretaries I am copying this minute, she is disposed to let this particular matter lie where it now rests between the Government and the Select Committee on Energy, and not to return to the charge at this stage re-stating the Government's position on the general issue of the release to Select Committees of information which comprises advice by officials to Ministers on policy issues.

I am copying this minute to the Private Secretaries to the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster, the Secretary of State for Energy and the Chief Whip.

B. A. WHITMORE

6 August 1980

CONFIDENTIAL

286

From: Ian Lloyd M.P.



HOUSE OF COMMONS
LONDON SW1A 0AA

115.

16/8

5th August 1980

Dear Prime Minister,

My Committee has given careful consideration to your letter of 9th July in reply to our request for the C.P.R.S. Report on the nuclear power plant programme.

I have been asked to convey the Committee's strongly held view that your reply appears to cast some doubt on the Government's willingness to follow through its undertaking to provide Select Committees with the information they consider they should have to discharge their onerous responsibilities. The Committee finds particular difficulty in making authoritative judgments about Government decisions when it is denied knowledge of the options which were open to Ministers at the time these decisions were taken and the advice on which they acted. We feel particularly concerned in the case of the nuclear power programme, partly because the record appears so unsatisfactory in so many respects, and moreover, vast sums have been, and are to be, expended on these programmes. For these reasons we felt that no stone should be left unturned in the efforts which we were making to understand why Government had taken the decisions which they had in recent years, particularly on the A.G.R. Programme.

The Committee has decided, with great reluctance, however, not to press the matter any further on this occasion. I have, nevertheless, been asked to make it clear that we do not regard this as a precedent for the future and that we must obviously reserve the fight to pursue, by whatever means are open to us, the production of evidence which we consider necessary to our enquiries.

Yours
Ian

The Rt. Hon. Mrs. Margaret Thatcher, M.P.,
Prime Minister,
10 Downing Street,
London.



2.

CABINET OFFICE
Central Policy Review Staff

With the compliments of
J. R. Ibbs

MS
✓
WHITMORE
MS

~~Prime Minister~~
To see

AMW
25 iii

70 Whitehall, London SW1A 2AS
Telephone 01-233 7765

SELECT COMMITTEE ON ENERGY
COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 (Direct Line)
01-219 3000 (Switchboard)

CABINET OFFICE
Qa 9394
25 JUL 1980
FILING INSTRUCTIONS
FILE No.....

24th July 1980

Dear Mr Ibb, -24th?

Thank you for your letter of 22nd July concerning the request by the Select Committee on Energy for oral evidence from the CPRS on Monday 28th July. I have consulted the Chairman of the Committee and he accepts that in view of what you say in your letter there is little point in proceeding with Monday's meeting. He has asked me to say, however, that the Committee will formally consider your reply at their next meeting and will decide then how to take the matter further.

Your sincerely,
Daniel Doig

D. W. N. Doig
Clerk to the Committee

mt

J. R. Ibbes Esq.,
Director, Central Policy Review Staff,
Cabinet Office,
Whitehall,
London, SW1.

cc. Secretary of State for Energy
Chancellor of the Duchy
Mr Whitmore
Sir Robert Armstrong
Mr Le Clermont



CABINET OFFICE
Central Policy Review Staff

With the compliments of
J. R. Ibbs

70 Whitehall, London SW1A 2AS
Telephone 01-233 7765



CABINET OFFICE
Central Policy Review Staff

70 Whitehall, London SW1A 2AS Telephone 01-233 7765

From: J. R. Ibbs

Qa 05084

24 July 1980

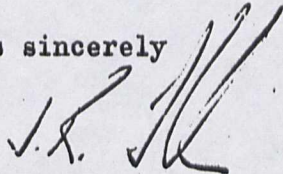
Dear Mr Doig

Thank you for your letter of 15 July.

For the reasons which were given in my earlier letter to you and in the Prime Minister's letter of 9 July to the Chairman of the Committee, I am afraid that I am unable to comply with the Committee's request for a copy of the advice given by the CPRS to Ministers on the matter in question.

Were my colleagues and I to give oral evidence to the Committee on this subject, we should be unable to answer questions on the advice which we had given to Ministers or to disclose to the Committee information supplied to us in confidence by commercial companies. In the circumstances I have to suggest, with great respect, that no useful purpose will be served by our attending to give oral evidence to the Committee on 28 July. I understand that the Secretary of State for Energy is to give evidence to the Committee on 30 July when he will no doubt be able to tell the Committee about the facts and considerations which were in the minds of himself and his colleagues when decisions were made.

Yours sincerely


J R Ibbs

D W N Doig Esq
Clerk to the Select Committee on Energy
Committee Office
HOUSE OF COMMONS
SW1A 0AA

bcc The Secretary of State for Energy
The Chancellor of the Duchy of Lancaster
Mr Whitmore
Sir Robert Armstrong

CONFIDENTIAL

DSG



cc Master set

10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

EVIDENCE TO THE SELECT COMMITTEE ON ENERGY

The Prime Minister held a meeting this afternoon with the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster, the Secretary of State for Energy and the Chief Whip to discuss the issues raised in your minute A02660 of 18 July 1980. You and Mr. Ibbs were also present.

The Chief Whip said that, as a result of approaches he had made to a number of members of the Select Committee, there was a reasonable prospect that the Committee would not continue to press for the CPRS Report to Ministers on the future of the two AGR stations. But he could not guarantee that they would drop their request. The Chancellor of the Duchy of Lancaster added that, although he could not intervene directly himself, he was going to have a word with Mr. du Cann to enlist his help with the Select Committee. He was anxious to avoid another row which, though not big in itself, would add to the cumulative effect of other disagreements.

In discussion there was agreement that it was desirable that the Head of the CPRS should not give evidence to the Select Committee since so much of his work took the form of advice to Ministers. A former Head of the CPRS had given evidence to a Select Committee in the past, but that had been in connection with a published CPRS Report. There could be no question of allowing the Select Committee on Energy to have the AGR Report since this was clearly advice to Ministers.

/ The Prime Minister

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- 2 -

The Prime Minister said that they were agreed that Mr. Ibbs should not appear before the Committee nor should he submit the CPRS Report. Instead, the Secretary of State for Energy, who was already due to appear before the Select Committee the following week, should be ready not only to let the Committee have the facts about the AGRs, but also to explain to them the considerations which Ministers had in mind when reaching their decisions on the AGR stations. He should not, however, disclose the content of the CPRS Report. If, notwithstanding the Secretary of State for Energy's evidence, the Select Committee continued to press for the appearance of Mr. Ibbs before them, one way of proceeding might be to authorise him to put in a factual note and then to give oral evidence to the Committee. But Ministers would need to meet again to review the situation before any decision to move to this fall-back position was taken.

I am sending copies of this minute to the Private Secretaries to the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster, the Secretary of State for Energy and the Chief Whip.

KW.

23 July 1980

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PRIME MINISTER

House of Commons Procedure
(C(80) 41 and 46)

BACKGROUND

You have agreed that the Chancellor of the Duchy should bring this matter back to Cabinet. Last week Cabinet agreed that there should not be a debate on the outstanding recommendations of the Procedure Committee before the summer Recess. They were influenced by a letter from Mr. Merlyn Rees suggesting that the Opposition did not want a debate until October. At Business Questions last Thursday, however, Mr. Callaghan pressed the Chancellor of the Duchy for a debate (though not on a Friday). Other members, including Mr. du Cann, joined in. The Opposition have now written again saying that they would like a general debate before the Recess but votes on specific procedural resolutions taken in the spill-over in October.

2. The Chancellor of the Duchy argues that there must be a debate before the Recess. His paper suggests two options, with variants of the second:

- (i) A substantive debate with votes before the Recess, as he proposed in C(80) 41. He prefers this; it meets his pledges in full and would get the matter out of the way. He argues that it provides the best chance of securing an outcome favourable to the Government, but it is not what the Opposition have asked for and it requires Cabinet to have reached final views on the Procedure Committee's recommendations.
- (ii)(a) A debate on the Adjournment with votes after the Recess. The debate would probably run widely to include the work of the departmental Select Committees. There would be no opportunity for the House to show its opinions in a vote, which might leave the Government more room to manoeuvre in the

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autumn. On the other hand the procedural reformers in the House might monopolise the debate and the Government might find it more difficult to ignore what was said.

(ii)(b) A take-note debate. The House could be invited to take note only of the outstanding recommendations of the Procedure Committee's report, and substantive votes would follow in October. The take-note motion would itself be amendable, e. g. to add "and urges their early implementation", and there would be votes on such amendments as the Speaker selected. This form of debate does not in the circumstances seem to have much to recommend it.

3. The most likely date for any debate would be Thursday, 31st July. Whatever form it took, the Chancellor of the Duchy would have to give some indication of the Government's views. He would therefore like the Cabinet to consider the proposals in his earlier memorandum (C(80) 41), on which you have my brief for last week's Cabinet.

4. If the Cabinet were to support the Chancellor of the Duchy's preference for option (i) they would need to reach a view on the proposals in C(80) 41. If they favoured option (ii) they might prefer the Chancellor of the Duchy to make a relatively neutral speech reflecting the differing arguments. There might still, however, be a case for his indicating the Government's views on matters on which the Cabinet are of one mind, e. g. the proposed declaratory resolution relating to European legislation and the proposal to set up a Procedure Committee next Session to look at the control of supply.

HANDLING

5. You will want first to invite the Chancellor of the Duchy to introduce C(80) 46 so that the Cabinet can form a view on the need for a debate before the summer Recess and, if one is to be held, on the form it should take. The Chief Whip will have views. He may argue that the strength of feeling in favour of a debate is to be weighed against the disadvantage of occupying a full day before the Recess. He may also argue against devoting two days to Procedure - one now and one in October. How busy will the House be in

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October? If option (ii) were preferred, would the votes on substantive resolutions have to be in prime time? Others who may have views include the Home Secretary and the Secretary of State for Employment.

6. If the discussion showed a preference for option (ii) you might then invite the Chancellor of the Duchy to deal briefly with the main points in his paper (C(80) 41. You have a fuller brief; but, in short, those likely to want to comment are: the Chief Whip (generally), the Home Secretary, the Secretaries of State for Employment, Defence and for Northern Ireland (as regards the proposal for Public Bill Committees), the Lord Privy Seal (as regards the European legislation) and the Chancellor of the Exchequer (as regards the proposal to establish a Procedure Committee on the control of supply).

CONCLUSION

7. Subject to the discussion, you might guide the Cabinet to agree that there should be a debate on the Adjournment before the summer Recess. The Cabinet might invite the Chancellor of the Duchy to take a generally neutral line in speaking in that debate, drawing attention to the advantages of the recommendations, but also to the concern that you and other Members of the Cabinet feel about the increasing burden that would be placed both on Ministers and on backbench Members. He might also, subject to the course of the discussion, indicate the Government's willingness to table a declaratory resolution embodying their undertaking on the House's scrutiny of European legislation and their willingness to see a new Procedure Committee established next Session to examine the control of supply.

8. The Cabinet might invite the Chancellor of the Duchy to come back to them in September with his proposals for Government motions, taking into account the Cabinet's views and those expressed in the debate. An alternative would be to remit this to an ad hoc group under the Home Secretary on the lines which I suggested in my earlier brief.



(Robert Armstrong)

23rd July, 1980



Robinson

10 DOWNING STREET

From the Principal Private Secretary

21 July 1980

Dear Robin,

PROCEDURE

The Chancellor of the Duchy of Lancaster called upon the Prime Minister this afternoon to discuss the next steps on procedure in the light of his minute of 18 July 1980.

Mr. St. John-Stevas said that he had had a difficult passage at Business Questions last Thursday when he had found himself under pressure from both Mr. Du Cann and the Opposition front bench. Mr. Callaghan had suggested that he was failing to fulfil the commitments which he had given earlier with regard to a debate on procedure. A further indication of the pressure in the House for a discussion on procedure before the recess was the early day motion which had now been signed by 138 Members. This issue was becoming a running sore both with the House as a whole and with the 1922 Committee in particular. He was now anxious to get it out of the way. He had handled the question in such a way that there were now only two issues outstanding - his proposals for public bills, which involved a very limited and controlled experiment which in his view would not lead to any substantial changes in the end, and his proposals with regard to secondary legislation. He had now talked to Mr. Michael Foot and Mr. Merlyn Rees about how the Opposition wished to proceed, and what they wanted was to have a debate before the recess but to take the resolutions in the spill-over period in October.

The Prime Minister said that she remained concerned at the proposed increase in the number and scope of select committees. The fact was that Conservative Members frequently had commitments outside the House, and this meant that those of them who were members of select committees did not always attend all the meetings of their committees. But Labour members of select committees, many of whom believed that Members should be full-time and not have outside commitments, attended very regularly, and there was therefore a danger that if procedure was changed in the way being proposed by Mr. St. John-Stevas, some Government legislation would be delayed and, at worst, blocked in these new select committees by the Opposition. She was reluctant to overburden Conservative back-benchers any further. The next step was for Cabinet to consider the matter again on Thursday of this week, and she would have the necessary arrangements made. Cabinet would decide whether to proceed in the way now being suggested by the Opposition.

I am sending copies of this letter to Murdo Maclean (Chief Whip's Office) and David Wright (Cabinet Office).

Yours etc,

Alvin Whinnam.

Robin Birch, Esq.

CONFIDENTIAL

1.

*This will be in for the 2
provide a factual document
and the UK to put
evidence*

Prime Minister.

*This could end in a major row
between the Government and the Select Committee.*

Ref. A02660

MR. WHITMORE

*I think it would therefore be a good idea for
you to have a word with your colleagues before Mr
Ibbs refers to the Clerk. Agree? *MB**

You will remember that some months ago the Clerk to the Select *20 July*
Committee on Energy wrote to Mr. Ibbs to ask him to make available to the
Select Committee the CPRS Report to Ministers on the future of the two AGR
stations at Heysham II and Torness. With the Prime Minister's concurrence,
Mr. Ibbs refused the request, on the ground that the work which the CPRS had
done in this field was in the nature of advice given to Ministers by officials on
policy issues, which is not made available to the House or its Select
Committees. It was necessary also to have regard to the fact that, in
preparing this advice, the CPRS had had the benefit of information supplied in
strict confidence by the commercial concerns involved, which should not be
passed on to the Select Committee.

2. The Chairman of the Select Committee, Mr. Ian Lloyd, then wrote to
the Prime Minister on 26th June requesting a copy of the CPRS Report. In her
reply of 9th July the Prime Minister said that she could not comply with the
request, on the ground that advice given to Ministers by officials on policy issues
is not made available to the House or its Select Committees save in the most
exceptional circumstances.

3. The Clerk to the Committee has now written to Mr. Ibbs (copy attached)
requesting that he and those members of the CPRS who contributed to the Report
should appear before the Select Committee on Monday 28th July at 4.30 pm to
give oral evidence on the subject. The Clerk has also repeated the request that
the Report should be made available to the Committee, if necessary in
confidence, before the CPRS witnesses appear.

4. The new request is thus a direct challenge from the Committee to the
Prime Minister's decision that the Report should not be made available, with the
added complication that this time the Committee is asking for the attendance of
CPRS members. We thus have the makings of a first-class row with the Select
Committee, and we need to consider carefully what the response should be.

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However I do not think there can be any question of releasing the CPRS document in question to the Select Committee. Though it is true that the Government told the House of Commons that it would be their general practice "to make as much information as possible available, including background papers and analytical studies relevant to major policy decisions", it is also laid down in the Memorandum of Guidance to Ministers circulated by the Prime Minister on 8th July (C(P)(80) 2) that there should be no departure from the existing rule that the advice of the Law Officers to the Government and the advice of officials to Ministers, including legal advice, should not be disclosed to Select Committees. It is also made clear that officials are advised not to indicate to Select Committees the advice that they or other officials have given to Ministers.

5. In instructing the Clerk to the Committee to send his latest letter, the Select Committee have gone out on a limb, and it will not be easy to persuade them off it. I would myself judge that the time has not yet come to indicate any readiness to compromise. My view would therefore be that Mr. Ibbs should send a polite but firm reply on the lines of the draft attached; and that at the same time attempts should be made, perhaps through the Chairman of the Liaison Committee, to persuade the Chairman of the Select Committee to come off it. That would presumably be done by the Chancellor of the Duchy of Lancaster or, perhaps, the Chief Whip.

6. If there has to be some sort of compromise, I think that there are two possibilities:

- (a) The Secretary of State for Energy could be offered as a witness to speak to the issues involved in the matter.
- (b) The CPRS could offer to provide the Committee with a factual note on the AGRs, which would present salient facts without disclosing commercially confidential material or judgments which might point to the advice which the CPRS gave to Ministers, and without drawing conclusions. The result would no doubt be a pretty thin document. It would, however, provide a much safer basis for any oral evidence which the CPRS might be called upon to give; and the offer of such a paper could put any hearing off until the autumn.

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✓ 14

7. The Prime Minister may wish to discuss this with the colleagues principally concerned.

8. I am sending copies of this minute, together with copies of the draft reply and of the relevant earlier correspondence, to the Private Secretaries to the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster, the Secretary of State for Energy and the Chief Whip.

RA

ROBERT ARMSTRONG

18th July, 1980

CONQUEROR

CONFIDENTIAL

DRAFT LETTER FROM MR. J.R. IBBS TO
D.W.N. DOIG, ESQ., CLERK TO THE SELECT
COMMITTEE ON ENERGY, COMMITTEE OFFICE,
HOUSE OF COMMONS

Thank you for your letter of 15th July.

For the reasons which were given in my earlier letter to you and in the Prime Minister's letter of 9th July to the Chairman of the Committee, I am afraid that I am unable to comply with the Committee's request for a copy of the advice given by the CPRS to Ministers on the matter in question.

Were my colleagues and I to give oral evidence to the Committee on this subject, we should be unable to answer questions on the advice which we had given to Ministers or to disclose to the Committee information supplied to us in confidence by commercial companies. In the circumstances I have to suggest, with great respect, that no useful purpose will be served by our attending to give oral evidence to the Committee on 28th July.

SELECT COMMITTEE ON ENERGY
COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 (Direct Line)
01-219 3000 (Switchboard)

CABINET OFFICE
Qa 9355
16 JUL 1980
FILING INSTRUCTIONS
FILE No.....

~~C. M. Dawson~~
~~C. M. ...~~
Dr Vaught.

15th July, 1980

Dear Mr Ibbs,

The Government's Nuclear Power Programme

Following our recent correspondence and a letter from the Prime Minister to the Chairman of the Select Committee on Energy (copy attached), I am now instructed by the Committee to request the attendance of yourself and those members of the CPRS who contributed to the recent Report on nuclear power station orders to give oral evidence on this subject on Monday, 28th July at 4.30pm. I am also instructed to repeat the Committee's request that they should have available to them, in confidence if necessary, the contents of the Report prior to the oral evidence from the CPRS on 28th July.

I should be grateful if you could confirm your appearance on 28th July as soon as possible.

*Yours sincerely,
David Doig*

D. W. N. Doig
Clerk to the Committee

R. Ibbs, Esq.,
Director, Central Policy Review Staff,
Cabinet Office,
Whitehall, SW1

May we have some idea
for the Chief Whip of
what the procedure is
and for when.



Prime Minister

We have tentatively
arranged for you to see
the COH at 16.30 on
Monday. Agree? Yes.

PRIME MINISTER

PROCEDURE

Further we shall be able
to judge better when we
know whether or not we
in do it see also attached
personal letter.

MA 18/vii

I think that I ought to let you know that following our brief discussion in Cabinet on procedure yesterday we had quite a difficult passage in the Commons at Business Questions on the subject of the Government not being now prepared to have a discussion on procedure before the recess. You will no doubt have heard that the Leader of the Opposition referred to this question at the outset of the discussion on business, and it was evident from the response to his words that there was considerable support from all sides of the House for the view that the debate on procedure should be taken before the recess rather than later. Originally I had understood the Opposition's difficulty to be that they wanted more time to consider the issues, but the Leader of the Opposition said that their objection was purely to holding the debate on the Friday of next week, and I therefore said I would discuss further with Merlyn Rees to clarify the point. Although I came under considerable pressure, I think that there would have been much more trouble if I had not been able to reduce the temperature by offering to have the further discussion with Merlyn.

Subsequently I did this, and he confirmed that the objection was purely to the Friday and it became clear that he and his colleagues had put themselves in an awkward position by mis-stating the real grounds of their objection to an early debate. I think that in the circumstances we have no option but to respond to the pressure from the House for a debate before the recess. I can now provide time for this and shall be prepared to do so, subject to the agreement of Cabinet. In order, however, to have a satisfactory debate we need to decide the Government line on the main issues in question and that means, I fear, that I must ask that the consideration of my paper on this subject, which was deferred from yesterday's Cabinet, should be undertaken next Thursday if at all possible. I have considered whether we might defer consideration to the following week. This would however be awkward since it will be necessary to table motions for debate and to give about a week's notice within which Members could consider them, so pushing the debate to the end of the last week before the recess, when substantial numbers of Members will have departed from Westminster and the subject would be unlikely to receive proper and balanced consideration.

I should therefore be glad if I could come to see you on Monday to discuss this question further. I think there is little doubt that unless we can respond satisfactorily next week there will be repeated pressure at Business Questions between now and the recess to redeem our pledge to hold a debate. If we are unable to respond positively, the atmosphere of the House is likely to be soured, and the Government's passage through the remaining weeks before the recess made unnecessarily difficult.

NStJS

N St J S
18 July 1980



Ref. A02639

PRIME MINISTER

House of Commons Procedure

(C(80) 41)

BACKGROUND

The Procedure Committee submitted a major report in 1978. No decisions were taken on its recommendations before the Election. The Conservative Election Manifesto expressed sympathy for the Committee's approach in their proposals for improving the way the House of Commons legislates and scrutinises public spending and the work of Government Departments, and The Queen's Speech promised the House an opportunity "to discuss and amend their procedures". The Chancellor of the Duchy of Lancaster's paper covers the outstanding recommendations not already dealt with in debates in June 1979 (when the House accepted proposals for Departmental Select Committees) and October 1979 (sessions and sittings). He has promised the House a debate before the Recess.

2. The Procedure Committee set themselves the general aim of improving the scrutiny of legislation and delegated legislation. Mr. Pym (then Shadow Leader of the House) and Mr. Atkins (then Shadow Chief Whip) were among those who stressed the need to do so. The recommendations on public Bills and subordinate and European legislation raise again, and perhaps more acutely than did the recommendations on Departmental Select Committees, the question of the balance of power between Government and Parliament. The Chancellor of the Duchy's paper recognises the need for the Government to retain control of the business of the House and he proposes that for this reason most of the Procedure Committee's detailed recommendations (set out in the Annexes) must be rejected. His paper concentrates on a few major recommendations which he proposes should be tried as an experiment or accepted with modifications. He believes that these changes would make the House's scrutiny more effective



without seriously affecting the Government's control of business. He sees his proposals very much as a "package"; and he fears that, unless he is able to offer a package of this kind, which he believes the main proponents of change would accept, the House on a free vote will insist on procedural changes that would not be acceptable to Ministers. His consultations with influential Members interested in procedure, including Mr. Du Cann, and Mr. Rees and Mr. Cunningham on behalf of the Opposition, reinforce this view.

3. The Chief Whip does not support the proposals on the scrutiny of public Bills and statutory instruments and is more sanguine of the chances of persuading the House not to make further procedural changes at present. One of his arguments is that to put more work of various kinds to Standing Committees would increase the Government's difficulties in manning the Committees and maintaining a majority on them. You have expressed concern at the increasing burden on backbenchers as well as Ministers, and the Procedure Committee's recommendations raise, by inference though not explicitly, the questions of "full-time" MPs without interests outside the House.

4. The Cabinet will need to assess the likely reaction of the House to any package of proposed changes as well as to consider the merits of individual proposals. As regards the major proposals:

(a) Public Bill Committees

The Procedure Committee's recommendation for three evidence-taking sittings at the outset of the Committee Stage of most Bills was itself a compromise proposal. It may have the faults of a compromise and would delay the progress of a Bill without, in practice, providing enough time for a proper investigation of the policy background. It has nevertheless the support of over 100 MPs, from both sides of the House, who have signed Early Day Motion 784, and the Chancellor of the Duchy argues that the Government must respond at least to the extent of a limited experiment. Apart from the extra time required for the procedure in Public Bill Committee, the work of that Committee would be bound to

lead to more work and longer time in Committee Stage proper. The new procedure would be something of a gift to an Opposition set upon disrupting the Government's programme. The Government would need to try to maintain its majorities in Public Bill Committees; this would add to the demands on backbenchers.

(b) Subordinate Legislation

The Procedure Committee (and the Chancellor of the Duchy) appear on strong ground in regarding as indefensible the present situation in which the Standing Committee set up to consider a statutory instrument cannot vote to approve or reject it. The Government can ignore a vote in the Committee without having to bring the matter to the floor of the House unless the instrument is one made under the affirmative procedure. On the other hand, the detailed proposals in the Chancellor of the Duchy's paper (as distinct from those of the Procedure Committee) do not give an automatic right to a debate on the floor. The recommendation seems to be acceptable, provided that the Government does not mind being defeated upstairs from time to time, and is prepared either to ignore such defeats or reverse them on the floor of the House. If on the other hand the Government was not prepared to risk defeat upstairs, it would have to make sure of its majority in the Standing Committee, and whip if necessary: another addition to the demands upon backbenchers.

(c) European Legislation

The detailed proposals have been agreed by the members of L and OD(E). The Law Officers are content with them and with the proposed declaratory resolution, of which the text is at Annex C. It is intended to safeguard Ministerial freedom in negotiation, and the formula is likely to satisfy the Scrutiny Committee and Government supporters, though not the Opposition. The proposed response to recommendation 28 would enable European legislation to be discussed in a Standing Committee (which is at present moribund) and would save time after 10.00 on the floor of the House. Again, however, it will add to the amount of Parliamentary time required for European legislation, and to the demands upon backbenchers.

(d) Departmental Select Committees

The decisions taken last June covered the recommendations on the structure of Departmental Select Committees, but left outstanding other recommendations on, for example, the time to be given to debates on their reports. The Chancellor of the Duchy recognises that to initiate a debate on these matters risks reopening the question of the setting up of Sub-Committees. He would like, however, to have authority to deal with the outstanding recommendations as and when opportunity offers. That seems to many to be premature. The Government can hardly avoid a full debate on the work of the new Committees next Session because of the demand from the Liaison Committee for more Sub-Committees, and that is surely the time to deal with these issues. The alternative and preferable course, therefore, is to defer consideration of the matters listed in Annex E until then.

(e) Financial Control

The proposal to set up a new Procedure Committee next Session to study the House's control of supply has the support of Treasury Ministers. While it would be a major exercise, and the exact outcome cannot be predicted, it accords with the Cabinet's concern about cash limits, and the demand by some Government backbenchers that supplementary estimates should not be passed "on the nod".

HANDLING

5. After the Chancellor of the Duchy of Lancaster has introduced his paper you will want to ask the Chief Whip to give his assessment of the likely Parliamentary reaction to the proposals as a whole. The other Ministers (former Leaders of the House or Chief Whips) who may have general comments include the Home Secretary, the Secretary of State for Employment, the Secretary of State for Defence and the Secretary of State for Northern Ireland.

6. You will not want the Cabinet to get immersed in procedural detail. (Comments on the Annexes might best be made in writing.) It may, however, be convenient to take the recommendations in paragraphs 3-11 of the paper in turn.



(a) Experiment with Public Bill Committees

The first question is whether there should be an experiment next Session. By what criteria would the result be judged? What Bills would be chosen? Would any experiment be the thin end of a very large wedge of Parliamentary time? The Chief Whip will want to comment on the effect on the legislative programme. The Secretary of State for Northern Ireland is cited by the Procedure Committee as supporting their recommendation. If the Cabinet do not favour an experiment, they will need to consider the line the Chancellor of the Duchy should be invited to take in debate. Would it be possible to ask the House to take note of recommendation 5 and promise a Government view at a later date? Or will that result in the House insisting on the general introduction of the new procedure?

(b) Subordinate Legislation

The Chief Whip will wish to express his reservations about the proposals (paragraph 7 of the paper). Is it unreasonable to expect the Whips to maintain a Government majority in the relevant Committees?

(c) European Legislation

You will want the Lord Privy Seal to confirm that he is content with what is proposed. The Minister of Agriculture, Fisheries and Food is also much concerned with the House's scrutiny of such legislation.

(d) Departmental Select Committees

The Chancellor of the Duchy will want to explain why he is seeking Cabinet agreement at this stage to the proposals in Annex E. How injurious would deferment of this subject be?

(e) Financial Control

You will want to confirm that the Chancellor of the Exchequer is content with the proposal in paragraph 11 of the paper. The Secretary of State for Defence and the Secretary of State for Social Services represent large spending Departments, and may well want to speak.

CONFIDENTIAL

7. Having looked at the contents of the package, the Cabinet may want to consider again its total attractiveness (or otherwise) to the House, and the line to be taken in the debate (provisionally scheduled for 28th or 29th July).

CONCLUSION

8. If the Cabinet seems to be ready to come to conclusions, you might guide them:

- (a) to agree to the proposed experiment with public bill committees or to reject it and invite the Chancellor of the Duchy to set out the various arguments in his speech without expressing any Government view;
- (b) to agree to the proposed declaratory resolution embodying the present undertaking about the approval of European Communities legislation;
- (c) to agree to the proposals in paragraphs 7 and 9 (and Annexes B and D) on subordinate and European legislation;
- (d) to defer consideration of Annex E relating to departmental select committees;
- (e) to agree in principle to the establishment next Session of a new Procedure Committee with the terms of reference in paragraph 11; and then:
- (f) invite the Chancellor of the Duchy to be guided by the decisions of the Cabinet and the points made in discussion in tabling motions for a debate before the Summer Recess and in his contribution to it.

9. If on the other hand it seems that the Cabinet is not ready to come to conclusions, you will want to find a way of coming back to the subject later. One possibility might be to propose that a small group of Ministers, under the chairmanship of the Home Secretary, should go through the proposals and make recommendations. Other members of the group might include the Chancellor of the Duchy, the Chief Secretary, the Lord Privy Seal and the Chief Whip: and perhaps the Secretary of State for Defence and the Secretary of State for Northern Ireland as former Chief Whips, though that would risk making the group rather unbalanced.

RA

(Robert Armstrong)

16th July, 1980



2 MARSHAM STREET
LONDON SW1P 3EB

My ref: H/PSO/15279/80

Your ref:

15 July 1980

✓ MS

De Norm

Mark Carlisle wrote to you on 2 July enclosing the text of a Government reply to comments raised by ESAC on the provision of information by Departments to Select Committees.

As I said in my letter of 9 June, we must re-affirm the preservation of the doctrine of the collective responsibility of Ministers and I am entirely content with the draft Command Paper.

I think we should take the line that responses to general issues such as this - by whatever Select Committee - should be in the form of a collective Government reply. However, I would agree that the reply to a particular point should be made by the Minister in charge of the Department marked by that Select Committee which raised the subject.

Copies go to Cabinet colleagues and to Sir Robert Armstrong and Sir Ian Bancroft.

Yes am
all

MICHAEL HESELTINE



10 DOWNING STREET

PRIME MINISTER

You will not be all that
enthusiastic about the CDU's
proposals on Public Bill procedure,
I suspect.

MS

11/7

[Handwritten signature]

PUBLIC BILLS (Recommendations 4-14)

Recommendations	General Comment	Proposed Line for Debate
<p>(4) Some bills, particularly of a technical, non-urgent, character, may be suitable for committal to select committees, but this procedure would not be desirable for the generality of bills. The membership of a standing committee on a bill should, however, include some members drawn from the select committee responsible for the scrutiny of the administration of the Government department or departments concerned (paragraph 2.17).</p>	<p>a. A procedure already exists for committing bills to select committees. It is largely used for private members bills.</p> <p>b. The membership of a standing committee is not determined by the Government, but by the Committee of Selection.</p>	<p>a. Note. No Government proposal.</p> <p>b. Note.</p>
<p>(5) Standing Committee on bills should in future be permitted to have up to three sittings in select committee form for the purpose of taking evidence in public; bills would automatically stand committed to committees with this power (to be known as "public bill committees"), unless the House otherwise ordered (paragraph 2.19-2.20).</p>	<p>Paragraphs 4 and 5 of the covering memorandum propose an experiment. Committal to a public bill committee should be on the initiative of the Government. A time limit should be placed ab initio on the first (evidence-taking) part of the proceedings of public bill committees.</p>	<p>Table motion for experiment including -</p> <p>a. Government Minister may propose reference to Public Bill Committee without debate;</p> <p>b. Public Bill Committee to have power to call for persons, papers and records, to hold one meeting for the organisation of its work and up to 3 evidence-taking sessions before a date specified in the committal motion;</p>
<p>(6) A Standing Committee, or public bill committee should be empowered to reconvene, before reporting a bill to the House, for the purpose of considering amendments arising from undertakings, consequential amendments and drafting amendments (paragraph 2.21).</p>	<p>Paragraph 5 of the covering memorandum proposes an experiment confined to bills sent to public bill committee.</p>	<p>c. Government Minister may table further amendments, at the end of the Committee stage and move that the Committee hold one or more sittings to consider them.</p>
<p>(7) Unopposed drafting amendments should be allowed on the Third Reading of Lords Bills (paragraph 2.25).</p>	<p>Acceptable to the Government, if the House wishes it.</p>	<p>Offer to table motion to enable Member in charge of the Bill to table amendments to Lords Bill, to be moved at the outset of the Third Reading Debate and, if unopposed, to be added to the Bill. Any objection would lose the amendment.</p>
<p>(8) Minimum intervals between the stages of bills should be prescribed by standing order (paragraph 2.28).</p>	<p>While the Government should continue to make every effort to allow sufficient time between the stages of a Bill, embodiment in Standing Orders would remove essential flexibility in the arrangement of the legislative programme. Some "emergency" Bills are needed by any Government in most sessions.</p>	<p>Ask House to accept general undertakings, and reject any specific provision in standing orders.</p>
<p>(9) There should be a minimum period of notice for allocation of time motions and motions to agree with the Resolution of a Business Committee; it should no longer be possible to include provisions relating to more than one bill in an allocation of time motion or to provide that instructions to a Committee on a bill should be decided without debate; the Business Committee should in future be nominated on a motion moved by the Committee of Selection, and its membership should if necessary be enlarged to reflect the composition of the House (paragraph 2.36).</p>	<p>a. The Government have been sparing in using guillotines. They will continue to be so, and to meet the spirit of the recommendation, especially in not using a single guillotine motion to cover more than one bill. But the embodiment of these recommendations in a standing order would make for too much rigidity; the Government must retain some flexibility in the arrangement of the legislative programme.</p> <p>b. There seems no case for altering the present arrangements for appointing members to Business Committees through the usual channels.</p>	<p>a. Ask House to accept general undertakings, and reject any specific amendments to standing orders.</p> <p>b. Ask House to reject any such amendment.</p>

Recommendations

- (10) The proposals of the Committee on the Preparation of Legislation relating to an expedited procedure for Bills, to enact for Scotland only the provisions of United Kingdom Acts should be implemented; a similar procedure should be applied in respect of Northern Ireland (paragraph 2.40).
- (11) Explanatory memoranda should give a more adequate description of the purposes and effects of a Bill (paragraph 2.42).
- (12) A greater use should be made of Keeling schedules (paragraph 2.43).
- (13) A procedure for correcting mistakes in bills before Royal Assent would be useful, but should contain complete safeguards against the introduction of substantive amendments (paragraph 2.44).
- (14) The Statute Law Committee should be entrusted with the task of continuous review of the structure and language of the statutes and of the implementation of the recommendations of the Committee on the Preparation of Legislation (paragraph 2.46-47).

General Comment

It is not clear that in practice the expedited procedure would be quicker than the present consolidation procedure; new primary legislation may also be required to establish the expedited procedure. Not acceptable for Northern Ireland as would increase pressure from integrationists to use Bills instead of Orders in Council.

Explanatory memoranda go in to more detail than heretofore; but they need to be kept to a manageable length.

Parliamentary Counsel will make use of such schedules when appropriate and likely to be helpful.

Unlikely to be possible to devise satisfactory safeguards, in particular difficult to define a "substantive" amendment. Procedure likely to be cumbersome and difficult to operate.

The Statute Law Committee, which at present meets annually, is unlikely to be appropriate for these tasks. Not clear how post hoc review could be used to improve future legislation.

Proposed Line for Debate

- If raised, say case for new procedure not established.
- If raised, note.
- If raised, note.
- If raised, resist on grounds of practicability.
- If raised, resist.

DELEGATED LEGISLATION (Recommendations 15 to 21)

Recommendation	General Comment	Proposed Line for Debate
<p>(15) A standing order should provide that no statutory instrument should be brought before the House or a Standing Committee until the Joint (or Select) Committee on Statutory Instruments has completed consideration of the instrument; the provision should apply to instruments subject to negative procedure as well as those subject to affirmative procedure (paragraph 3.15).</p>	<p>On occasion need to take statutory instruments on the Floor without waiting for the Joint Committee. If veto embodied in Standing Orders, opportunity for deliberate stalling by Joint Committee.</p>	<p>Acknowledge need to ensure that, whenever possible, debates on statutory instruments and prayers do not take place until Joint Committee has had opportunity to consider instrument concerned. But point out that occasions arise when pressures of Parliamentary business or the need for immediate administrative action prevent this, ie need to preserve loophole. Ministers will do all they can to keep these instances to a minimum. Advise House to reject adoption of recommendation.</p>
<p>(16) Where the Joint (or Select) Committee on Statutory Instruments has drawn the attention of the House to an instrument subject to negative procedure, the period of praying time should be altered to 10 days from the date of the Committee's Report, if that period would be longer than the 40 days provided under the Statutory Instruments Act 1946 (paragraph 3.14).</p>	<p>Effect would be to extend the potential period within which a negative instrument could be annulled from the usual 40 days to a date, if later, of 10 days after the Joint Committee on Statutory Instruments had drawn the attention of the House to the instrument concerned. This recommendation, which would require legislation, would increase uncertainty as to when negative instruments could be expected to have completed their passage, through the House. This could be detrimental to administrative efficiency. As with recommendation (15), time-table potentially taken out of Government control and certainty of implementation dates eroded. 40 days long accepted by Parliament as adequate praying time, and Joint Committee should normally be able to report in sufficient time to enable their views to be taken into account before normal praying time has expired.</p>	<p>Advise rejection of recommendation and avoid commitment to legislation.</p>
<p>(17) As an alternative to Recommendation (16), consideration should be given to legislation to convert instruments subject to negative procedure into instruments subject to affirmative procedure where the Joint (or Select) Committee had drawn the attention of the House to such instruments (paragraph 3.14).</p>	<p>This recommendation would require legislation. The effect would be to convert any negative instrument which the Joint Committee had drawn to the attention of the House into an affirmative instrument which would require debate and positive approval by the House. It would thus give the Joint Committee power to change statutory instrument categories agreed by the House. It would also, like recommendation (16), which would be the lesser evil, create potential uncertainty regarding the implementation dates of negative instruments.</p>	<p>Point out that this recommendation would enable a committee to overturn decisions of the House ie to change, in effect, an instrument which the House had previously decided should be subject to negative procedure into an affirmative instrument. Advise rejection of recommendation and avoid commitment to legislation.</p>
<p>(18) New procedures should be adopted for the consideration of statutory instruments by standing committees, to replace the existing Standing Order No 73A. Standing Committees should in future be empowered to consider substantive motions and, in certain cases, further debates of limited duration could be held in the House (paragraphs 3.15-3.18).</p>	<p>This concerns the reference of statutory instruments (essentially affirmative orders and prayers against negative instruments) to Standing Committees on Statutory Instruments (the 'Merits' Committee) under SO 73A. At present a Minister may move that an order shall be referred to the Merits Committee, but 20 or more Members can block the reference. The Committee sits for up to 1½ hours on the basis of a nonsubstantive motion, and the question on report to the House is put without debate after 10 pm. The revised procedure proposed would provide, inter alia, for the debate in committee on be on a substantive motion and for there to be power to enforce debate on the Floor if committee do not approve the instrument or recommend annulment. Full implementation of these proposals might significantly add to pressures on Floor time and loss of flexibility in programme planning. On the other hand, the present impotence of the Merits Committee has led to Parliamentary criticism, and certain of its procedures (eg nonsubstantive Motions) are not readily defensible.</p>	<p>Recommend revision of SO73A and powers of Merits Committee, modifying Procedure Committee proposals as necessary to avoid risks of increasing the amount of Floor time spent on statutory instruments, potential whipping problems at the commencement of public business, and loss of flexibility in programme planning.</p> <p>[detailed proposals as in schedule A]</p>

Recommendations	General Comment	Proposed Line for Debate
<p>(19) Standing Orders should provide for the reference of "proposals" for statutory instruments either to standing committees or to the relevant select committee (paragraph 3.21); the latter procedure should normally be followed (paragraph 3.24).</p>	<p>'Proposals' for statutory instruments is indefinite. In general terms a Departmental Select Committee can already under their broad terms of reference request a Minister about his intentions with regard to delegated legislation, and a Minister could inform the committee of his 'proposals'. Any general procedural requirement for select committees to be shown in advance all proposed statutory instruments would lead to problems of timing and confidentiality, eg in fiscal matters.</p>	<p>Avoid specific reference in Standing Orders as unnecessary and inappropriate.</p>
<p>(20) Departmentally-related select committees should be free to consider all statutory instruments falling within their fields of interest; standing orders should also provide for the formal reference of instruments to select committees, although the use of this procedure would increase only gradually (paragraph 3.22).</p>	<p>The terms of reference of the Departmental Select Committees already provide that the House could refer a statutory instrument to such a committee, or the Departmental Select Committee could take the initiative, consider an instrument and report to the House. In general, however, it would seem undesirable to avoid potential overlap with references of statutory instruments to 'Merits' Committee.</p>	<p>Avoid Standing Order as unnecessary.</p>
<p>(21) Select committees should be provided with regular information about instruments within their fields of interest; standing committees on statutory instruments should include some Members drawn from the relevant select committees; steps should be taken to inform the House, or a standing committee, of any reports from select committees relating to a statutory instrument to be debated by them (paragraph 3.23).</p>	<p>First part matter for House authorities and for arrangements between Departments and individual committees; second part is matter for Committee of Selection; the third a matter for House authorities.</p>	<p>Matter for House. Agree in principle. No Motion required.</p>

PROCEDURE FOR THE CONSIDERATION OF STATUTORY INSTRUMENTS IN
"MERITS" COMMITTEE (STANDING COMMITTEES ON STATUTORY INSTRUMENTS)
AFFIRMATIVE INSTRUMENTS

Aspect of Procedure	Existing Procedure Standing Order 73A	Procedure proposed by Procedure Committee	Recommended Government Proposal
Membership	Members nominated by Committee of Selection. Any other Members may take part in deliberations, but may not move Motions or vote or count in quorum.	As at present, but non-members able to move Motions or amendments.	As procedure Committee propose.
Who decides which instruments go to 'Merits' Committee?	Motion made by Minister at commencement of public business.	As at present.	As Procedure Committee propose.
Blocking power	20 or more Members rising may block reference. Otherwise Motion would need to be negatived on division.	Blocking power to be removed.	Let blocking power remain.
Basis of Motion in Committee	"That the Committee has considered the instrument."	"That the instrument be approved"	As Procedure Committee propose.
Length of debate in Committee	1 1/2 hours.	Up to 2 1/2 hours.	As Procedure Committee propose.
Floor procedure following report of Committee	Motion on Floor in relation to report by Committee put forthwith.	If Committee approve instrument, question on Floor put forthwith on commencement of public business. If Committee do not approve, or recommend with qualifications, provision for up to 1 hour's debate.	Retain existing position, ie question to be put on Floor after 10 pm without debate, whether Committee approve or disapprove instrument.
Miscellaneous	No prior notice required of Motions relating to these procedures.	Minimum period of two days notice to be given, no account being taken of Fridays and no proceedings under these provisions to take place on a Friday.	Leave position as at present.
Membership	Members nominated by Committee of Selection. Any other Members may take part in deliberations, but may not move Motions or vote or count in quorum.	As at present, but non-members able to move Motions or amendments.	As Procedure Committee propose.
Who decides which instruments go to "Merits" Committee?	Motion made by Minister at commencement of public business.	Additionally to present procedure any Member to move Motion if prayer for annulment signed by half membership of the House.	Leave as at present.
Blocking power	20 or more Members rising may block reference. Otherwise Motion would need to be negatived on division.	Blocking power to be removed.	As Procedure Committee propose.
Basis of Motion in Committee	"That the Committee has considered the instrument."	"That the Committee recommend" the appropriate course of action.	As Procedure Committee propose.
Length of debate in Committee	1 1/2 hours.	Up to 2 1/2 hours.	As Procedure Committee propose.

NEGATIVE INSTRUMENTS

Aspect of Procedure	Existing Procedure Standing Order 73A	Procedure proposed by Procedure Committee	Recommended Government Proposal
Floor procedure following report of Committee	No procedural obligation to debate report by Committee. If Motion made, question put forthwith.	If Committee recommend annulment, precedence for one hour debate if no debate in Government time within seven days of report.	Question on annulment to be put on Floor after 10 pm without debate.
Floor procedure following report of Committee	No procedural obligation to debate report by Committee. If Motion made, question put forthwith.	If Committee do not recommend annulment, no further proceedings unless prayer originally supported by half voting Members. If so, provision for one hour debate.	If Committee do not recommend annulment, no further proceedings.
Miscellaneous	No prior notice required of Motions relating to these procedures.	Minimum period of two days notice to be given, no account being taken of Fridays and no proceedings under these provisions to take place on a Friday.	Leave position as at present.

CONFIDENTIAL

ANNEX C

DRAFT RESOLUTION OF THE HOUSE ON EUROPEAN COMMUNITY LEGISLATION

"In the opinion of this House no Minister of the Crown should give agreement in the Council of Ministers to any proposal for European legislation which has been recommended by the Select Committee on European Legislation etc for further consideration by the House before the House has given it that consideration unless -

- (a) that Committee has indicated that agreement need not be withheld, or
- (b) the Minister concerned decides that for special reasons agreement should not be withheld;

and in the latter case the Minister should, at the first opportunity thereafter explain the reasons for his decision to the House."

CONFIDENTIAL

EUROPEAN COMMUNITIES LEGISLATION (Recommendations 22-30)

Recommendation	General Comment	Proposed Line for Debate
(22) There should be no extension of the powers of the Select Committee on European Legislation etc to enable that Committee to consider the merits of EEC legislation (paragraph 4.3)	No change to existing arrangements. Would avoid duplication of work by Scrutiny Committee and the new Departmental Select Committees.	Accept.
(23) Departmentally-related select Committees should be free to consider the merits of any EEC documents within their field of interest, but, at least for the time being, there should be no provision for the formal reference of documents to these select Committees instead of to Standing Committees for consideration of their merits (paragraph 4.4).	Within present terms of reference of Departmental Committees.	Accept.
(24) Select Committees should be provided with regular information about the progress of EEC documents within their fields of interest; the briefing material at present prepared for the use of the Select Committee on European Legislation etc should automatically be made available to other Select Committees (paragraph 4.5).	No government action required; briefing material already passed on by Scrutiny Committee to Select Committees. Extra requests can be met in usual way for all Select Committee requests.	Take note. Express readiness to meet other requests for Select Committees in the usual way.
(25) The circumstances in which the Government should be permitted to give their approval to EEC legislation should be embodied in a declaratory Resolution; the balance of advantage lies with a firm commitment that the Government should not give its final approval to legislation prior to a debate, where debate has been recommended by the Scrutiny Committee (paragraph 4.13).	Declaratory resolution as proposed would risk Ministers being in contempt of Parliament. But Parliament might prefer greater firmness of a resolution to the present undertaking. If present undertaking not to give agreement to proposals which have been recommended for debate prior to debate were embodied in a resolution necessary flexibility would be retained.	Accept with some modification. The Resolution should simply embody the existing Government undertaking; the Scrutiny Committee's proposed format suitably prefaced could be largely adopted.
(26) The Government should undertake to provide time for debates on consultative documents issued by the Commission (paragraph 4.14).	In practice consultative documents are already recommended for debate although they may not be debated until related implementing legislation is considered.	To use best endeavours, as now, within constraints of conflicting demands on Parliamentary time to find appropriate time.
(27) Debate on EEC documents should normally take place on a substantive motion (paragraph 4.15).	This stems from the fact that at the time the Report was made most debates were on simple take note motions. It has become the practice wherever possible to debate documents on expanded take note motions. To go further and have motions which agree or otherwise with proposals would impair negotiators' flexibility. Understood that House is generally content with current practice. The use of motions on the adjournment has fallen away because they are unamendable but an offer only to use such motions in exceptional circumstances might be acceptable.	Accept to the extent that where possible the motion will express Government's attitude. Agree to forego adjournment debate for EC proposals except in exceptional circumstances.
(28) New procedures should be adopted for the consideration of EEC documents by standing Committees, to replace the provisions of Standing Order No 73A. Standing Committees on European Communities Legislation should consider substantive motions, and be empowered to hold up to three two-and-a-half hour meetings for the consideration of a document. The subsequent decision in the House should be on a motion to agree with the Resolution of the Committee concerned (paragraph 4.17).	The present provisions for Standing Committee consideration have proved unsatisfactory and it has fallen into disuse; chief objections were to the unamendable motion and only 1½ hours being allowed. Recommendations are very detailed but:- (i) debate on substantive motion (ii) 3 2½ hour sessions would be too much of a commitment but one full morning might be acceptable (iii) any member of the House may take part and move motions or amendments in such a Committee's deliberations but only Committee members may vote should allow for reasonable business management	Accept with some modifications, ie debates on amendable motions indicating HMG's attitude to proposals to last a full morning. Any member of the House can take part in the deliberations but only Ministers may move the motion on the floor of the House. (i) Accept that should be dealt with on same basis as motions of Floor of the House. (ii) Offer one full morning (iii) Accept

Recommendations	General Comment	Proposed Line for Debate
<p>(28) Continued</p>	<p>(iv) abolition of the provision that more than 20 members might block a reference to the Committee is more likely to be seen as an erosion of the powers of the House</p> <p>(v) if a reference is negated time must be found for a debate within 7 days - this is unreasonable in terms of business management; the House is safeguarded by the undertaking on debates</p> <p>(vi) an amendable motion which may be put to the House either at the start of business or at 10 pm with the question being put forthwith by any member of the House is unreasonable for business management; the proposal could be acceptable if the motion were moveable only by Ministers.</p>	<p>(iv) Reject</p> <p>(v) Reject</p> <p>(vi) Accept that an amendable motion may be put to the House by a Minister at 10 pm</p>
<p>(29) The Government should publish lists showing the progress of Commission proposals through the Community institutions (paragraph 4.18).</p>	<p>The system of providing updating explanatory memoranda should meet this need. The compilation of a detailed list would be very costly but some limited information which is already available centrally could be made available to the Scrutiny Committee.</p>	<p>Use best endeavours to meet the spirit of the recommendation within existing resources. Continue to provide updating explanatory memoranda. Supply Scrutiny Committee with weekly lists of documents outstanding for debate.</p>
<p>(30) Treaties which are to be the subject of European Communities (Definition of Treaties) Orders should in future be considered by the Select Committee on European Legislation etc as well as by the Joint Committee in Statutory Instruments; the subject of the Treaty concerned should be included in the draft Order, and a more detailed memorandum should be provided (paragraph 4.19).</p> <p>OTHER PROPOSALS</p>	<p>The first two parts have already been met to the satisfaction of the Scrutiny Committee. It should be possible to try to provide more information in Explanatory Notes in certain cases provided that the Notes do not then become misleading as to the purpose of the Order.</p>	<p>Note that much of this proposal has already been implemented and undertake to provide fuller Explanatory Notes within the constraints imposed by the generally narrow technical scope of such orders.</p>
<p>Amend Standing Orders to bring them into line with Scrutiny Committee terms of reference so that all Community documents can be taken after 10 pm or in Standing Committee.</p>	<p>When the Scrutiny Committee's terms of reference were expanded to include all Community documents in 1976 Standing Orders were not amended as well. Such a change would be logical and convenient.</p>	<p>Propose to make amendments to Standing Order.</p>
<p>Motion for debate of EEC Document should be tackled at the same time as announcement in business statement.</p>	<p>The scrutiny Committee have made the recommendation several times over the years so that the House can have more notice of the proposed Government line.</p>	<p>If the question is raised, under pressure could concede to do so where practicable.</p>

Recommendation	General Comment	Proposed Line for Debate
<p>(44) Greater opportunities should be available for debates on select committee reports; to this end eight Mondays each session should be allotted as "select committee days"; the choice of reports to be debated on these days should be left to the Government, after consultation with other parties and with select committee chairmen; debates should take place on substantive motions moved by the chairmen of the committees concerned (paragraphs 6.2-6.13).</p>	<p>General purport of recommendation would be to double amount of time recently taken on Floor for debates on Select Committee reports. Present commitment is three days on Select Committee reports (2 in Supply, 1 in Government time). Three extra Government days might be needed. More time might be available if amount of legislation reduced.</p>	<p>Avoid commitment to additional time or 8 Mondays. Under-take to review in light of how many reports are produced and the extent to which they need to be considered separate or relate to issues covered in other debates.</p>
<p>(45) Government departments should normally be required to publish their observations on select committee reports within two months of publication of the reports; a record of reports made, and Government observations received, should be included in the sessional Select Committee Returns (paragraph 6.17).</p>	<p>Major reports may require more than two months for full consideration.</p>	<p>Avoid absolute commitment but state that Departments have been instructed to do their best to meet the two months deadline and, where this is not possible, to explain to the Committee, before the expiry of the two month period, why the deadline cannot be met.</p>
<p>(46) Select Committees should in future be nominated on a motion tabled by the Committee of Selection (paragraph 6.19) the procedure for moving for the nomination of select committees under SO No 13 should not be available until objection had been signified to the Committee of Selection's motion (paragraph 6.21).</p>	<p>The Departmental Committees (and the Scottish and Welsh Affairs Committees) are now nominated on a Motion tabled by the Committee of Selection. The Government did not accept the extension of this practice, as recommended, to all select committees - for example, the Public Accounts Committee continues to be nominated on a Motion tabled by Government Ministers, and it is presumed that Ministers will wish to continue this practice. As regards SO No 13, the position under the present Sessional Order for the nomination of the membership of the Departmental Committees differs from the proposal made by the Procedure Committee, in that SO No 13 (rights of Private Members in respect of the tabling of Motions for the nomination of Select Committees) does not apply. Procedure Committee had recommended modified application.</p>	<p>Oppose, as necessary, the extension of nomination by the Committee of Selection to further Select Committees. Concede application of modified SO No 13 procedure to Departmental Committee nominations if pressed.</p>
<p>(47) The publication by newspapers, etc., of reports of evidence given by witnesses to select committees meeting in public should be permitted, before such evidence has been reported to the House (paragraph 6.25).</p>	<p>Essentially recognition of fact accomplished since evidence may already have been broadcast.</p>	<p>Leave to House and table Motion accordingly, at a later stage, if appropriate.</p>
<p>(48) Select committees should report the Minutes of Proceedings of their Sub-committees (paragraph 6.27).</p>	<p>Terms of reference of Departmental Committees give committees power to report the Minutes of Evidence before sub-committees. But no power to compel them to do so.</p>	<p>Leave to House to decide and table Motion accordingly, at a later stage, if appropriate.</p>
<p>(49) The chairman of a select committee should have a substantive vote, like other Members, and no casting vote; questions would be decided in the negative unless supported by a majority of the votes cast (paragraph 6.30).</p>	<p>The present position is that the chairman of a select committee votes only where there is equality of votes in the committee. This, in effect, deprives the party to which chairman belongs of one vote unless voices are equal. The proposed change would favour the chairman's party, and would bring practice into line with that of House of Lords.</p>	<p>Leave to House to decide and table Motion accordingly, at a later stage, if appropriate.</p>

Recommendation	General Comment	Proposed Line for Debate
<p>(50) Select committees should continue to appoint their own chairmen, but the convention of appointing Members of opposition parties to the Chair of certain committees should be maintained and, if possible, extended (paragraph 6.31).</p>	<p>Convention of appointing opposition Members as chairmen of some committees has been extended. Five Departmental Committees and Scottish and Welsh Affairs Committees all have opposition chairmen.</p>	<p>No action required.</p>
<p>(51) Consideration should be given to the payment of a modest additional salary to the chairmen of select committees (paragraph 6.33).</p>	<p>Any such proposal best considered in general context of Members' remuneration.</p>	<p>Oppose consideration outside general context of Members' remuneration as a whole.</p>
<p>(52) The new select committees are likely to require more permanent staff resources; arrangements to recruit the necessary additional staff should be set in hand immediately (paragraph 6.37).</p>	<p>More staff have been appointed. On 1 April 1979, 59 staff allocated to select committees. On 1 April 1980, 78.</p>	<p>Matter for Commission. Point out increases.</p>
<p>(53) The restriction on the appointment of specialist advisers "for the purposes of particular inquiries" should be removed, and all select committee should be free to appoint whatever advisers they wish for the purpose of their work; the scales of fees for advisers should be laid down by the Commission (paragraph 6.40).</p>	<p>Terms of reference of Departmental Committees have removed this restriction on the appointment of specialist advisers. Departmental select committees have power "to appoint persons with technical knowledge either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference". Fees a matter for Commission.</p>	<p>No Government action required.</p>
<p>(54) The Commission should establish suitable procedures for assessing proposals for the recruitment of full-time specialist staff required by select committees (paragraph 6.41); and should be responsible for considering requests for assistance for committees from the Exchequer and Audit Department (paragraph 6.44).</p>	<p>Matter for Commission.</p>	<p>No Government action required.</p>
<p>(55) Members should be able to call on personal research assistance, paid centrally by the House, and in addition to, and separate from, the provision of secretarial assistance (paragraph 6.46).</p>	<p>Proposal would cut across arrangements for the Members' secretarial allowance, which includes an element in respect of research assistance. Library can provide central research assistance.</p>	<p>Oppose consideration outside general context of Members' remuneration as a whole.</p>
<p>(56) The Select Committee on House of Commons (Services) should undertake an immediate review of the present accommodation available for committees and their staff and of future accommodation needs, and should produce a plan for accommodation for Members and parliamentary staffs (paragraph 6.47).</p>	<p>Matter for Services Committee. More committee room accommodation has been provided in the Upper Committee Corridor (estimated cost April 1980, £475,000).</p>	<p>No Government action required.</p>

Recommendation	General Comment	Proposed Line for Debate
<p>(57) For the time being the orders of reference of most departmentally-related select committees should not include the power to appoint sub-committees with investigative powers; specific exception should be made for the Treasury Committee, the Foreign Affairs Committee and the Home Affairs Committee, all of which should be empowered to appoint no more than two investigative sub-committees (paragraph 6.48).</p> <p>(58) Other committees desiring to appoint investigative sub-committees (or joint sub-committees) should put appropriate proposals to the Liaison Committee which would, if it concluded that adequate facilities were available to support the work of the proposed sub-committees, table the necessary motions in the House; such sub-committees would be required to report within a specified period of time (paragraph 6.49).</p> <p>(59) All select committees should be empowered to appoint sub-committees (or joint sub-committees), without the power to send for persons, papers and records, for such purposes as the analysis of evidence, the preparation of reports, or the consideration of a committee's programme of work (paragraph 5.56).</p> <p>(60) All select committees should be empowered to take evidence and deliberate jointly with other committees, to exchange papers with other committees, to make joint reports or special reports, or formally to request the opinions of other committees on any matters (paragraph 6.53).</p> <p>(61) The informal Chairmen's Liaison Committee should be replaced by a select committee, to be known as the Liaison Committee, consisting of one representative of each permanent select committee, together with additional Members to ensure that the overall membership of the committee reflects the composition of the House (paragraphs 6.56 - 6.58).</p>	<p>The Treasury and Civil Service Committee, the Foreign Affairs Committee and the Home Affairs Committee have been granted powers to appoint one investigative sub-committee.</p> <p>Five committees (Defence, Energy, Scottish Affairs, Transport and Welsh Affairs) have, with the support of the Liaison Committee, sought power to establish sub-committees. Further sub-committees would cause additional work for Ministers and Departments. It would seem inappropriate for the initiative for their establishment to lie with the Liaison Committee rather than with Ministers.</p> <p>Not clear why informal arrangements inadequate.</p> <p>No approach so far made by select committees.</p> <p>Liaison Committee has been established but without additional Members.</p>	<p>Oppose, as necessary, the establishment of further sub-committees by these committees this session. Review as part of general sub-committee position next session (see recommendation (58)).</p> <p>Subsume as part of general review of select committee structure next session in light of experience of working of Departmental Committees.</p> <p>If necessary, agree to table Motions if select committees and Liaison Committee thought it useful.</p> <p>If necessary, agree to table Motions if select committees and Liaison Committee thought it useful.</p> <p>No Government action required.</p>

POWER TO SEND FOR PERSONS, PAPERS AND RECORDS (Recommendations 62-65)

Recommendation	General Comment	Proposed Line for Debate
<p>(62) Select committees should regard any refusal by government departments to provide information relating to departmental or interdepartmental organisation - unless fully explained and justified to their satisfaction - as a matter of serious concern which should be brought to the attention of the House (paragraph 7.15).</p>	<p>Instructions to Departments state that normal presumption should be that detailed information about the organisational structure of departments should be made available to select committees if requested. Information about inter-departmental organisation will be provided, subject to the need to take into account the principle of the collective responsibility of Ministers to Parliament.</p>	<p>As indicated by the First Special Report of the Education, Science and Arts Committee ("The Provision of Information by Government Departments to Select Committees"), to which a Government reply will be made shortly, select committees can already draw alleged departmental failures in this field to the attention of the House. The House may accordingly consider that the recommendation is effective without the need for further endorsement.</p>
<p>(63) Memoranda submitted to select committees by government departments and non-departmental public organisations should include a declaration of the persons and organisations with whom consultations have taken place prior to their submission (paragraph 7.16).</p>	<p>This recommendation has been drawn to the attention of departments and non-departmental bodies with whom departmental consultations take place prior to the submission of departmental memoranda to select committees. Departmental memoranda shown in draft to non-departmental bodies should include a statement of the bodies concerned (Memorandum of Guidance for Officials appearing before Select Committees (paragraph 50)).</p>	<p>Implementing action has been taken.</p>
<p>(64) Select committees should be empowered to order the attendance of Ministers to give evidence to them (paragraph 7.21), and to order the production of papers and records by Ministers, including Secretaries of State (paragraph 7.22).</p>	<p>By convention select committees "invite", and do not "order", the attendance of Members, including Ministers. Select committees may at present, in effect, order the production of papers held in the custody of a Ministers, but only if he is not a Secretary of State. In the case of a Secretary of State the House must proceed by way of an Address to the Sovereign.</p>	<p>Maintain line taken by Government in debate (June 1979) when departmental select committees established, ie maintain existing position but agree to reconsider if more formal powers are needed for select committees to enforce their wishes.</p>
<p>(65) In the event of a refusal by a Minister to produce papers and records required by a select committee the committee should be empowered to claim precedence over public business for a Debate on a Motion for an Address or for an Order for the Return of Papers, unless time is provided by the Government by the sixth sitting day after the first appearance of the Motion (paragraph 7.25).</p>	<p>This would provide select committees with the power to enforce automatic debate on the Floor of any alleged Ministerial refusal to produce papers. This could be a threat to other business and might be exploited. It would seem necessary that there should be evidence of general concern in the House over such an alleged refusal before a debate was required to take place.</p>	<p>Maintain existing position, ie no select committee power to enforce debate on the Floor. But, if necessary, give general undertaking that when there is clearly widespread concern in the House over such a dispute regarding the production of papers by Ministers, time for a debate will be found.</p>

FINANCIAL CONTROL (Recommendations 66 to 70)

Recommendation	General Comment	Proposed Line for Debate
<p>(66) The Government should enter into negotiations with the local authority associations with a view to preparing legislation to implement an amalgamation of the Exchequer and Audit Department and the District Audit (paragraph 8.13).</p> <p>(67) New legislation should establish the principle that the accounts of all bodies in receipt of funds voted by Parliament should be subject to examination by the Comptroller and Auditor General, with the proviso that the C & AG may authorise alternative audit procedures in respect of individual bodies to whose accounts he has a right of access (paragraph 8.14).</p> <p>(68) The audit staff should be regarded as servants of the House, and the cost of the national audit activities should be carried on the Vote of the House, thus allowing the Commission to determine the overall scale of the audit function and the grades, qualifications and salaries of audit staff; in addition, the House or its committees should be able to request the C & AG to undertake inquiries, but not to direct him to carry out his inquiries in a particular manner (paragraph 8.21).</p> <p>(69) All departmental Estimates should be referred to the appropriate departmentally-related committees (paragraph 8.24).</p> <p>(70) The Government should act expeditiously to respond to the suggestions of the Expenditure Committee concerning the provision of financial information and the manner of its presentation to the House (paragraph 8.28); a review of the structure and content of the accounts, statistical analyses and other regular reports presented to the House should be undertaken, perhaps by the Public Accounts Committee and the new Treasury Committee, with a view to improving the means of parliamentary scrutiny (paragraph 8.29).</p>	<p>Green Paper 'The Role of the Comptroller and Auditor General' (Cmd 7845) published earlier this year and comments from interested bodies at present awaited. PAC have launched a separate enquiry in response to the Green Paper. No conclusions likely this year.</p> <p>Action by Treasury in hand. This will cover Estimates and Supplementary Estimates.</p> <p>Government Memorandum 'The provision of Additional Information on Supply Estimates' sent to Treasury and Civil Service Committee and the PAC in November 1979, proposing, inter alia, changes, adopted for 1980-1, in presentation of comparative statistics in the Budget Memorandum on the Estimates. Some further integration of cash, volume and price information to be provided this year. PAC (13th Report 1979-80) did not wish to pursue integration.</p>	<p>Subsume in consideration of response to Government's Green Paper.</p> <p>Necessary action already taken.</p> <p>Government anxious to meet wishes of the House. For example, further comparative information in cash and volume terms has been provided in Budget Memorandum on the Estimates. Government will give further consideration to scope for further changes in the light of the reaction of the Treasury and Civil Service Committee to their Memorandum. Subject may be taken up again by Procedure Committee as part of the proposed general review of Supply Procedure.</p>



Parliament
1000

10 DOWNING STREET

THE PRIME MINISTER

9 July 1980

Dear Sir,

Thank you for your letter of 26 June in which you ask me for a copy of "the recent report to Ministers on the future of the two AGR stations at Heysham II and Torness".

I have considered your request with great care, but have concluded that I should not comply with it. It is well established that advice by officials to Ministers on policy issues is not made available to the House itself or to Select Committees, whether in confidence or otherwise, save in the most exceptional circumstances. It does not seem to me that the circumstances in this case are so exceptional as to justify a departure from the rule. I am sure that the Select Committee on Energy will have no difficulty in making up its own mind on whether the Government's decisions on these two AGR stations were sensible, without access to the work done by the CPRS.

Yours sincerely

Ray

Ian Lloyd, Esq., M.P.

JS



Parliament

Civil Service Department
Whitehall London SW1A 2AZ
01-273 4400

9 July 1980

VMS

The Rt Hon Mark Carlisle MP
Secretary of State for Education & Science
Department of Education & Science
Elizabeth House
York Road
LONDON SE1 7PH

Dear Mark

Thank you for sending me a copy of your letter of 2 July to Norman St John-Stevas about the Government's response to the First Special Report from the Education, Science and Arts Committee.

I have no comments on the draft and, like you and Norman St John-Stevas, believe that it should be published as soon as possible.

I am copying this letter to the Prime Minister and other Cabinet colleagues and to Sir Robert Armstrong and Sir Ian Bancroft.

Yours etc

Christopher

SOAMES



Dalton

CONFIDENTIAL

Ref. A02559

MR. SANDERS

In your minute of 30th June, you asked for a draft reply for the Prime Minister to send to Ian Lloyd MP, Chairman of the Select Committee on Energy, in response to his letter requesting a copy of the CPRS report on the future of Heysham II and Torness.

2. Mr. Lloyd's request to the Prime Minister is identical to the one which his Committee made to the Head of the CPRS. With the Prime Minister's agreement (Clive Whitmore's minute of 4th June refers) that request was refused. There is no reason for changing this response. The CPRS report was confidential advice to Ministers and it is a well-established convention that such advice is not made available to those outside Government.

3. I attach a draft reply for the Prime Minister to send to Mr. Lloyd. This has been seen and approved by Sir Robert Armstrong.

(D.J. Wright)

7th July, 1980

CONFIDENTIAL



CONFIDENTIAL

GR

type for PM/ cc IG

DRAFT LETTER FROM THE PRIME MINISTER TO
MR. IAN LLOYD, MP

Thank you for your letter of 26th ^{June} ~~January~~ in which you ask me for a copy of "the recent report to Ministers on the future of the two AGR stations at Heysham II and Torness".

I have considered your request with great care, but have concluded that I should not comply with it. It is well established that advice by officials to Ministers on policy issues is not made available to the House itself or to Select Committees, whether in confidence or otherwise, save in the most exceptional circumstances. It does not seem to me that the circumstances in this case are so exceptional as to justify a departure from the rule. I am sure that the Select Committee on Energy will have no difficulty in making up its own mind on whether the Government's decisions on these two AGR stations were sensible, without access to the work done by the CPRS.



10 DOWNING STREET

From the Private Secretary

7 July 1980

The Prime Minister has seen your Secretary of State's letter to the Chancellor of the Duchy dated 2 July, to which was attached a draft Government response to the First Special Report of the Education, Science and Arts Select Committee.

She has also seen the Chancellor of the Duchy's letter dated 3 July.

Subject to the views of colleagues, she is content that the draft reply should be published in its present form.

I am copying this letter to Robin Birch (Chancellor of the Duchy of Lancaster's Office), Murdo Maclean (Chief Whip's Office), John Halliday (Home Office), Jim Buckley (Lord President's Office) and David Wright (Cabinet Office).

M. J. SANDERS

Peter Shaw Esq
Department of Education and Science.

GB



Chancellor of the Duchy of Lancaster

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

3 July 1980

Mr. M. C.

Thank you for your letter of 2 July enclosing the draft of a Government response to the First Special Report of the Education, Science and Arts Committee. I have no comments on this draft. Its text, as you say, makes clear that it is a Government response to the Committee's criticisms. Given that, I think it is appropriate for you as the Minister in charge of the relevant Department to present the report.

As you will know there is to be a debate before the recess on the outstanding recommendations of the Report of the Procedure Committee. I shall be putting a paper to Cabinet shortly and expect the debate to take place on 28 or 29 July. While I would not expect recommendation 62 to feature largely in that debate there will clearly be every advantage in the Government's response to the First Special Report having been published in the previous week; otherwise there may be suspicions that we have deliberately held it back.

I realise that the timetable is now tight but if other colleagues could let you know in the next few days whether they have any comments on the draft, I hope your Department could arrange to have the Command Paper presented before the debate takes place.

I am copying this letter to the Prime Minister and other Cabinet colleagues and to Sir Robert Armstrong and Sir Ian Bancroft.

John A. M.

The Rt Hon Mark Carlisle MP
Secretary of State for Education and Science
Department of Education and Science
Elizabeth House
York Road



DEPARTMENT OF EDUCATION AND SCIENCE

ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH

TELEPHONE 01-928 9222

FROM THE SECRETARY OF STATE

✓
MS

Miss P I Laidlaw
Office of the Chancellor
of the Duchy of Lancaster
Cabinet Office
Whitehall
LONDON SW1

2 July 1980

Dear Petra

The enclosed text should have been attached to my Secretary of State's letter of today's date to the Chancellor of the Duchy. This letter goes to the Private Secretaries of all members of the Cabinet, Sir Robert Armstrong and Sir Ian Bancroft.

Yours ever

Mary Bowden

MRS M E BOWDEN
Private Secretary

DEPARTMENT GOVERNMENT OBSERVATIONS ON THE FIRST SPECIAL REPORT OF THE EDUCATION,
SCIENCE AND ARTS COMMITTEE

1. In their First Special Report entitled "The Provision of Information to Government Departments to Select Committees" (HC 606), the Education, Science and Arts Committee commented that they had had difficulty in assessing the quality of decision making in the Department of Education and Science because of the refusal of successive Governments to reveal to Select Committees the nature and extent of interdepartmental consultation. The Committee noted that they were not alone among the new Select Committees in wishing to have more information and drew attention to the reports of the Treasury and Civil Service Committee and of the Foreign Affairs Committee*.

2. When the House of Commons debated the motion proposing the creation of the new departmental Select Committees on 25 June 1979, the Chancellor of the Duchy of Lancaster and Leader of the House of Commons said:

"I give the House the pledge on the part of the Government that every Minister from the most senior Cabinet Minister to the most junior Under-Secretary will do all in his or her power to co-operate with the new system of Committees and to make it a success".**

The Government believe they have fulfilled this undertaking. Departments have already provided very substantial quantities of information to the new Committees, both in submitting their own evidence and in response to specific questions, and Ministers have regularly appeared before Committees.

3. In making information available to Select Committees, however, the Government, like their predecessors, attach major importance to preserving two essential features of our system of government. The first is that the advice given by officials to Ministers should remain confidential. In the Government's view the retention of this confidential basis is essential if official advice is to be of maximum benefit to Ministers in reaching their decisions.

* Second report from the Treasury and Civil Service Committee, Session 1979-80 (HC 584), paragraph 5, and the Third Report from the Foreign Affairs Committee, Session 1979-80 (HC 553), paragraph 16.

** Hansard, Volume 969 No 24, Col 24.

4. The second principle is that the process of consultation between Ministers, and between Departments on their behalf, and the level and manner in which decisions are taken, must also remain confidential. In reaching decisions, Ministers collectively frequently have to take into account conflicting Departmental points of view. Once such decisions have been taken, however, it becomes the collective responsibility of all members of the Government to abide by them. Successive governments over many years have reaffirmed this principle of collective Ministerial responsibility to Parliament, which would be undermined if the nature and extent of inter-Departmental consultation preceding decisions were made public.

5. The Education, Science and Arts Committee concluded their First Special Report with a single recommendation, that the House be given an early opportunity to approve the following recommendation (62) of the Select Committee on Procedure in their first report of the 1977/78 Session:

"Select Committees should regard any refusal by government departments to provide information relating to departmental or interdepartmental organisation - unless fully explained and justified to their satisfaction - as a matter of serious concern which should be brought to the attention of the House".*

Select Committees will have noted this recommendation and, as the action of the Education, Science and Arts Committee shows, can already draw any alleged failure to the attention of the House if they think it appropriate to do so. In considering whether the matter should be debated, the House may also wish to bear in mind the context in which the recommendation was made.

6. In the passage which precedes this recommendation (paragraph 7.15) the Procedure Committee state that:

"We are aware of the long-standing convention which prevents the disclosure by Ministers or civil servants of the existence, composition or terms of reference of Cabinet Committees, or the identity of their chairmen. We are also aware of the long-standing practice of Ministers to refuse to answer Questions in the House concerning discussions between Ministers or between Ministers and their official advisers or the proceedings of the Cabinet or Cabinet Committees. We are disturbed, however, by the extension

* First Report from the Select Committee on Procedure, Session 1977-78 (HC 588 - I), recommendation 62.

of these conventions to all questions of departmental or inter-departmental organisation which, if consistently and uniformly applied, would debar Members and Committees from access to information about the organisation of the government service which is essential for any attempt properly to scrutinise the administration and expenditure of government departments."

7. These comments were made by the Procedure Committee in the context of their consideration of the Memorandum of Guidance issued by the Civil Service Department to officials appearing before Select Committees. This memorandum has recently been revised* to take account, inter alia, of the comments made by the Procedure Committee. The revised memorandum points out that a considerable amount of information about departmental organisation is already available in published form, and that the normal presumption should be that more detailed information about the organisational structure of Departments should be made available to select committees if requested. It is recognised, however, that the provision of information about inter-departmental organisation may present more difficulty.

8. In dealing with any requests from Select Committees for information about "the nature and extent of inter-departmental consultation", either generally or in specific instances, the Government will continue to assist Select Committees as much as possible. In considering such requests, however, the Government will, as indicated above, take into account the necessity of maintaining the confidentiality of official advice to Ministers, and also the principle of the collective responsibility of Ministers to Parliament. The Government are convinced that the maintenance of the principle of Ministerial collective responsibility is an essential feature of government in this country. It is accordingly, in their view, necessary to withhold information if its disclosure would jeopardise this principle. The Government do not regard this as casting any doubt on their declared intention to co-operate to the fullest degree in making the new Select Committee system a success.

* See Hansard, Vol 986, No 189, Col. 89. A copy of the revised memorandum is in the Library of the House.

PRIME MINISTER



FROM THE SECRETARY OF STATE

Here (flag A) is the draft
Govt reply to the report from
the Education Select Committee
complaining about the lack of
information on interdepartmental consultation.

ELIZABETH HOUSE,
YORK ROAD,
LONDON SE1 7PH
01-928 9222

The Rt Hon Norman St John Stevas MP
Chancellor of the Duchy of Lancaster
Cabinet Office
Whitehall
London SW1

2 July 1980

The CDC is content (flag B).

The draft is a bit confused in the order of
presentation of the arguments - in my view - but
it has been much argued over, and I see no
need to reopen the issue

Yes Mr

Dec. Norman.

... will requested if
required

now. Contact 3 for it to be published,
subject to colleagues' views?

In your reply of 2 June to my letter of 22 May about the
First Special Report from the Education, Science and Arts
Committee on the provision of information by Government
departments to Select Committees, you agreed, as did the
Prime Minister and many other colleagues, that there should
be an early Government response, and suggested that I should
have a short draft circulated for consideration by those most
immediately concerned.

MJS

4/7

I now attach ^{below} a text which has been agreed with Cabinet Office
and other officials. It is drafted in the form of a Command
Paper, which should help to emphasise the point that this is
a Government reply. There remains the question of whose name
should appear on the cover as presenting the paper to Parliament.
I had thought that it might have been fitting for your name to
figure there, either alone or with mine, because the issue
raised is a general one. But if you feel that it would be useful
to establish the precedent that the reply to a particular Select
Committee should be presented by the Minister in charge of the
department "marked" by that Committee, irrespective of the
subject of its report, I am content.

If you and others have no comments on the reply itself, we have
the opportunity of getting it out quickly. I am not anxious
to by-pass the regular Ministerial Committee machinery, but if
my colleagues, and particularly the Home Secretary, agree with
both the text and the method of presenting it, we could perhaps
go to print without more ado. If my colleagues have any points
of substance to discuss, the matter will of course have to go to
H Committee.

I am accordingly copying this letter and enclosure to Cabinet colleagues, to Sir Robert Armstrong and Sir Ian Bancroft.

Yours ever

Mark

MARK CARLISLE

DRAFT GOVERNMENT OBSERVATIONS ON THE FIRST SPECIAL REPORT OF THE EDUCATION,
SCIENCE AND ARTS COMMITTEE

1. In their First Special Report entitled "The Provision of Information by Government Departments to Select Committees" (HC 606), the Education, Science and Arts Committee commented that they had had difficulty in assessing the quality of decision making in the Department of Education and Science because of the refusal of successive Governments to reveal to Select Committees the nature and extent of interdepartmental consultation. The Committee noted that they were not alone among the new Select Committees in wishing to have more information and drew attention to the reports of the Treasury and Civil Service Committee and of the Foreign Affairs Committee*.

2. When the House of Commons debated the motion proposing the creation of the new departmental Select Committees on 25 June 1979, the Chancellor of the Duchy of Lancaster and Leader of the House of Commons said:

"I give the House the pledge on the part of the Government that every Minister from the most senior Cabinet Minister to the most junior Under-Secretary will do all in his or her power to co-operate with the new system of Committees and to make it a success".**

The Government believe they have fulfilled this undertaking. Departments have already provided very substantial quantities of information to the new Committees, both in submitting their own evidence and in response to specific questions, and Ministers have regularly appeared before Committees.

3. In making information available to Select Committees, however, the Government, like their predecessors, attach major importance to preserving two essential features of our system of government. The first is that the advice given by officials to Ministers should remain confidential. In the Government's view the retention of this confidential basis is essential if official advice is to be of maximum benefit to Ministers in reaching their decisions.

* Second report from the Treasury and Civil Service Committee, Session 1979-80 (HC 584), paragraph 5, and the Third Report from the Foreign Affairs Committee, Session 1979-80 (HC 553), paragraph 16.

** Hansard, Volume 969 No 24, Col 24.

3
4. The second principle is that the process of consultation between Ministers, and between Departments on their behalf, and the level and manner in which decisions are taken, must also remain confidential. In reaching decisions, Ministers collectively frequently have to take into account conflicting Departmental points of view. Once such decisions have been taken, however, it becomes the collective responsibility of all members of the Government to abide by them. Successive governments over many years have reaffirmed this principle of collective Ministerial responsibility to Parliament, which would be undermined if the nature and extent of inter-Departmental consultation preceding decisions were made public.

5. The Education, Science and Arts Committee concluded their First Special Report with a single recommendation, that the House be given an early opportunity to approve the following recommendation (62) of the Select Committee on Procedure in their first report of the 1977/78 Session:

"Select Committees should regard any refusal by government departments to provide information relating to departmental or interdepartmental organisation - unless fully explained and justified to their satisfaction - as a matter of serious concern which should be brought to the attention of the House".*

Select Committees will have noted this recommendation and, as the action of the Education, Science and Arts Committee shows, can already draw any alleged failure to the attention of the House if they think it appropriate to do so. In considering whether the matter should be debated, the House may also wish to bear in mind the context in which the recommendation was made.

6. In the passage which precedes this recommendation (paragraph 7.15) the Procedure Committee state that:

"We are aware of the long-standing convention which prevents the disclosure by Ministers or civil servants of the existence, composition or terms of reference of Cabinet Committees, or the identity of their chairmen. We are also aware of the long-standing practice of Ministers to refuse to answer Questions in the House concerning discussions between Ministers or between Ministers and their official advisers or the proceedings of the Cabinet or Cabinet Committees. We are disturbed, however, by the extension

* First Report from the Select Committee on Procedure, Session 1977-78 (HC 588 - I), recommendation 62.

of these conventions to all questions of departmental or inter-departmental organisation which, if consistently and uniformly applied, would debar Members and Committees from access to information about the organisation of the government service which is essential for any attempt properly to scrutinise the administration and expenditure of government departments."

7. These comments were made by the Procedure Committee in the context of their consideration of the Memorandum of Guidance issued by the Civil Service Department to officials appearing before Select Committees. This memorandum has recently been revised* to take account, inter alia, of the comments made by the Procedure Committee. The revised memorandum points out that a considerable amount of information about departmental organisation is already available in published form, and that the normal presumption should be that more detailed information about the organisational structure of Departments should be made available to select committees if requested. It is recognised, however, that the provision of information about inter-departmental organisation may present more difficulty.

8. In dealing with any requests from Select Committees for information about "the nature and extent of inter-departmental consultation", either generally or in specific instances, the Government will continue to assist Select Committees as much as possible. In considering such requests, however, the Government will, as indicated above, take into account the necessity of maintaining the confidentiality of official advice to Ministers, and also the principle of the collective responsibility of Ministers to Parliament. The Government are convinced that the maintenance of the principle of Ministerial collective responsibility is an essential feature of government in this country. It is accordingly, in their view, necessary to withhold information if its disclosure would jeopardise this principle. The Government do not regard this as casting any doubt on their declared intention to co-operate to the fullest degree in making the new Select Committee system a success.

* See Hansard, Vol 986, No 189, Col. 89. A copy of the revised memorandum is in the Library of the House.

Who goes home for tea?

by Enoch Powell

Quite often, when a major and controversial change occurs, the consequences which turn out to be most important are not foreseen or brought into the debate.

It was so, for example, with the great measures of nationalization in the 1945 parliament. Nobody at the time noticed the inflationary consequences. Nobody pointed out that large quantities of new government paper, which would in due course have to be redeemed or rolled forward, were being created. Nobody drew attention to the now obvious fact that in future the new capital required by those industries would, in default of massive profits, have to be raised on government credit. Yet these turned out to be the most extensive and damaging of the consequences.

Something similar has happened with the reforms inaugurated in the House of Commons this session, following the recommendations of the Williams Committee on procedure in the last parliament. Their centre-piece is a whole range of "subject committees", select committees each assigned to investigate and report on one or more departments, with power to take evidence from ministers, Civil Servants and others. It was in a way the culmination of a long evolution whereby sub-committees of the old Estimates and later Public Expenditure Committees had given themselves an ever widening brief *vis-à-vis* the respective ministries.

There has always been a school of thought, to which Michael Foot and I belonged, which looked askance at multiplication of committees, believing that such a move towards the essentially different American system would detract from the importance of the floor of the House itself and thus in the long run weaken the power of Parliament, which ultimately depends on open debate.

This anxiety should have been, and I think was, increased by a recent development — that of throwing open to the public the sittings of select committees, which, unlike the standing committees on Bills, had previously been almost invariably held in private. An incidental consequence of this change was in effect to destroy the old and important rule that until a committee had reported to the House, no one, Member or not, might disclose or refer to its proceedings or evidence upon pain of the penalties of contempt; and many were the journalists who were called to book for publishing information that had leaked prema-

turely from select committees. Obviously public sitting makes nonsense of this; and the old rule is now got round by deeming committees to have reported to the House at the end of each public sitting.

There turns out, however, to have been a critical factor that nobody thought of or foresaw. Parliamentary reports — for labour and other reasons — now "go to bed" earlier and earlier, so that the term itself has become anachronistic and might well be replaced by the cry, "Home for tea!" Once questions and statements are over, by between 4 and 4.30 pm, and the two opening speeches of the day's debate have run to about 6 pm, it is time for the parliamentary gallery to file its stories, and a scanty harvest the sitting thus far will often have yielded. The debate itself has still four hours or more to run, during which the true mood of the House and the parties will have time to disclose itself. On many evenings there are other items to follow later, which are frequently more piquant and important than the *entrée* of the day. All this, however, is out of time for the newspapers, though sound extracts up to 10 or even 11 o'clock may still find a place on radio.

Into the news vacuum thus created there has suddenly rushed a flood of new material, provided during the daylight hours and requiring much less skill and patience to evaluate and process than a debate on the floor. The reporter who goes along at 10 am is now presented with a plentiful and appetizing bill of fare. In the mornings from 10.30 and in the afternoons at hours which are still manageable there will be sitting a range of six to ten select committees, billed to cross-examine ministers, officials and experts, not on the tedious minutiae of expenditure and administration but on red-hot departmental policy matter connected with current news stories.

Moving from one committee room to another, he — and his editors — will be unlucky indeed if long before the day's deadline they cannot gather prime political material more succulent, varied and plentiful than almost any day spent assiduously in the gallery of the House would have furnished.

It seems we were looking in the wrong direction. The danger turns out not to have been that Members would desert the Chamber so much as those who report them. It is a simple combination of the clock and the printing unions that is beginning to threaten government by debate — otherwise known as parliamentary democracy.

Enoch Powell is Official Ulster Unionist MP for Down, South.

4

PRIME MINISTER

To see
MS

'ILLUSTRATED LONDON NEWS'

JUNE 1980

MS

B/F7-780



MR WHITMORE

Whitmore

HW

30

10 DOWNING STREET

From the Private Secretary

MR. WRIGHT
CABINET OFFICE

I attach a copy of a letter the Prime Minister has received from Ian Lloyd, MP, Chairman of the Select Committee on Energy. *26/6/80*
I should be grateful if you could suggest a draft reply for her to send to him, to reach us here by Monday 7 July.

I am copying this minute and its enclosures, for information, to Julian West (Department of Energy).

N. J. SANDERS

30 June 1980

C. A. Whitmore, Esq.



①

mm
Clive / i vii
to see

② PA

CABINET OFFICE

MJS

30/6

With the compliments of
The Private Secretary to the
Secretary of the Cabinet

70 Whitehall, London SW1A 2AS

Telephone 01-233 3000

CONFIDENTIAL



CABINET OFFICE

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

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

Ref. A02478

30th June, 1980

Dear Robin,

Select Committee on Procedure

Thank you for your letter of 25th June about the timing of the Cabinet's consideration of the paper which the Chancellor of the Duchy wishes to circulate to his colleagues before the Commons debate on the recommendations of the Select Committee on Procedure.

Sir Robert Armstrong has explained to the Prime Minister the reasons why the Chancellor of the Duchy wishes to bring his paper to Cabinet on 10th July. He also felt bound to point out that it has for some time been intended that the agenda for Cabinet on 10th July should be devoted to this year's Public Expenditure Survey, and that there may be little or no time for another considerable Cabinet item, such as the recommendations of the Select Committee, at what will already be a long meeting of the Cabinet. The Prime Minister has endorsed the view that it would be preferable if the Chancellor of the Duchy could bring his paper to Cabinet on Thursday, 17th July, when it would be the principal item on the agenda, apart from the normal stock items. This would mean, I realise, the debate on the Select Committee's recommendations being arranged for the week of 28th July; but it would seem unlikely that MPs will be able to drift away from Westminster in the early part of that week, even if - as I gather is not at all certain - the House rises at the end of it.

We have therefore included House of Commons Procedure on the agenda for 17th July in our list of Provisional Arrangements for the next three weeks.

I am copying this letter to Clive Whitmore and Wilfred Hyde.

Yours ever,
David

(D. J. Wright)
Private Secretary

R. A. Birch, Esq.

CONFIDENTIAL

SELECT COMMITTEE ON ENERGY
COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 (Direct Line)
01-219 3000 (Switchboard)

pas
26th June 1980

Dear Prime Minister,

The Government's Statement on the New Nuclear Power Programme

As you may be aware, the Select Committee on Energy is conducting an enquiry into the Government's recent statement on the new nuclear power programme.

As part of this enquiry, the Clerk to the Committee was instructed to write to the Director of the Central Policy Review Staff requesting a copy of the recent Report to Ministers on the future of the two AGR stations at Heysham II and Torness. The Committee has now had a chance to consider the reply from Mr. Ibbs, a copy of which I enclose.

I am now writing with the authority of the Committee to ask you personally if you will agree to furnish the Committee with a copy of the Report, which the Committee would, of course, be prepared to treat in confidence, if necessary. My colleagues and I feel very strongly that if we are to subject the advice available to Ministers on this crucial issue to the scrutiny which the House of Commons expects of us we must have access to an independent review of the sort carried out by the CPRS.

I hope that you will feel able to co-operate with the Committee in this matter.

Yours truly,
Ian Lloyd
Ian Lloyd MP
Chairman, Select Committee on Energy

Rt. Hon. Margeret Thatcher MP.,
10 Downing Street,
London, SW1.



CABINET OFFICE
Central Policy Review Staff

70 Whitehall, London SW1A 2AS Telephone 01-233 7765

From: J. R. Ibbs

Qa 05043

5 June 1980

Dear Sir

Thank you for your letter of 21 May, which arrived here on 28 May, requesting "a copy of the recent CPRS Note or Report, which reviewed and recommended the building of AGRs at Heysham II and Torness".

The CPRS has published no Report on this matter. We were asked to give advice to Ministers; but that advice, like other internal advice to Ministers, is by accepted convention confidential. Our advice on this matter also contained information obtained in strict confidence from commercial concerns. For these reasons I am afraid that I cannot comply with the Committee's request.

Yours faithfully

J R Ibbs

D F Harrison Esq
Assistant Clerk to the Committee
Select Committee on Energy
HOUSE OF COMMONS
SW1A 0AA



Chancellor of the Duchy of Lancaster

1. CAW to see MS 26/1

Parliament
2. NBPM

MS

26/6

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT.

25 June 1980

Dear David,

DEBATE ON RECOMMENDATIONS OF SELECT COMMITTEE ON PROCEDURE

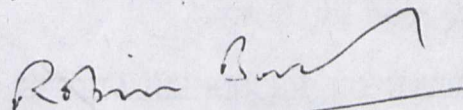
Following the meeting between the Chancellor of the Duchy and the Prime Minister this morning, we have discussed the problem of timing consideration by the Cabinet of the paper which the Chancellor wishes to put forward before the Commons debate the outstanding recommendations of the Select Committee on Procedure. The Prime Minister has agreed that this debate should, in accordance with the Government's undertakings, take place before the summer recess. It was originally intended that the Chancellor's paper should be considered by Cabinet on 10 July but with the recent rearrangement of business following cancellation of the meeting on 16 July it is now very difficult to fit it in on the date originally planned. I have discussed this problem with the Chancellor and he considered whether it might be possible to take it on 17 July. The problem is that because of the complexity and number of motions which would need to be tabled for debate, it would be necessary to give Members rather more than the minimum number of days in which to consider the motions and any amendments they might wish to put forward. This means that if Cabinet consider the issue on 17 July a debate could hardly take place before 28 July, which the Chancellor still hopes may be the final week of business before the recess. If this is so, he fears that significant numbers of Members will have drifted away for the summer recess and that the House may therefore not be fully representative when it considers the substantial issues outstanding on public bill procedure, delegated legislation and European legislation. He has therefore asked me to write to say that he would wish to press strongly, if this is possible, for consideration of the procedure recommendations to be included at the end of Cabinet on 10 July.

He has considered whether the subject might be taken at a separate Cabinet, but would not favour this since, although the subject is substantial, it is not so weighty as to justify this approach. Nor would he be happy about taking the item early in Cabinet on 10 July, because this might lead to a hurried and unsatisfactory discussion.

The Chancellor hopes therefore that it may be possible to reconsider the decision that this item cannot be taken at the end of business on 10 July.

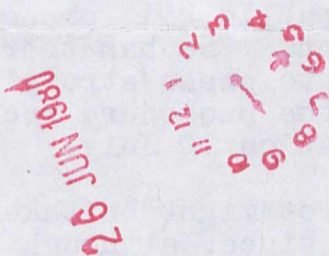
I am sending copies of this letter to Tim Lankester at 10 Downing Street, and to Wilfred Hyde in Cabinet Office.

Yours ever



R A BIRCH
Private Secretary

David Wright Esq
Private Secretary to Sir Robert Armstrong
Cabinet Office
Whitehall





ce/Master set
Parliament

10 DOWNING STREET

From the Principal Private Secretary

25 June 1980

SELECT COMMITTEE ON PROCEDURE:
OUTSTANDING RECOMMENDATIONS

The Prime Minister and the Chancellor of the Duchy of Lancaster had a word this morning about the present position on the outstanding recommendations of the Select Committee on Procedure.

The Chancellor said that he had now consulted the various elements in the House, including Mr. Edward du Cann and representatives of the Opposition, who were interested in the Select Committee's recommendations. His primary objective was to maintain the Government's control of the business of the House and to ensure that it got through its legislation on time. But there was a certain amount of pressure for change coming from various quarters of the House, and if he was to achieve his objective, it would be necessary, in his judgement, to give a little on some of the proposals. If he tried to resist this pressure completely, matters were likely to get out of hand. He proposed therefore that the Government should be ready to introduce, on an experimental basis, a limited amount of change to public bill procedure. He agreed that if the Select Committee's recommendation that there should be three sittings in select committee form for the purpose of taking evidence during the committee stage was implemented for all bills, this would cause a lot of additional work for Ministers and officials who would have to give evidence and would add to the Government's problems of managing business, but he believed that there was a good case for treating two or three bills, probably of a non-controversial kind, in the way recommended by the Select Committee in the next session.

The Prime Minister said that she was concerned that Members were already spending a lot of time in committees of various kinds and she was reluctant to increase that still further. The Select Committee's recommendation on public bill procedure would, if implemented, take the House closer to becoming a full-time institution, and if that happened, Members' experience and understanding of the world outside Parliament would be even less than it was now. If there were sittings in select committee form, time would be needed to take evidence from outside bodies as well as from Ministers and officials, and this would inevitably delay getting bills into Standing Committee. For all

/these reasons

these reasons she was not happy with the proposed changes. She agreed that the Chancellor should bring the matter to Cabinet when he was ready.

I am sending a copy of this letter to David Wright (Cabinet Office).

C. A. WHITMORE

Robin Birch, Esq.,
Office of the Chancellor of
the Duchy of Lancaster



Chancellor of the Duchy of Lancaster

Prime Minister

[Handwritten signature]

PRIVY COUNCIL OFFICE

24/6

WHITEHALL, LONDON SW1A 2AT

24 June 1980

Dear Clive,

SELECT COMMITTEE ON PROCEDURE: OUTSTANDING RECOMMENDATIONS

When we spoke earlier this evening I said that when the Chancellor comes to see the Prime Minister tomorrow morning on the pay of MPs and Ministers, he would also be grateful for the opportunity of a very brief word with her on the present position on the outstanding recommendations of the Select Committee on Procedure. He has been conducting an intensive round of consultation with interests in various parts of the House which will be completed in the next day or so and he intends thereafter to consult his Ministerial colleagues on the line to be adopted in a debate before the summer recess. As you know, the Government is committed to such a debate and is pledged by the election manifesto to give the House an early opportunity to decide on the recommendations of the report of the Procedure Committee. In order to retain adequate control of the House he will need to go before it with clear recommendations in the various fields in which decisions are outstanding.

The Chancellor is very anxious, as his first objective, to preserve the Government's control of the business of the House and to ensure that it can get its legislation enacted. At the same time, he recognises from his consultations that the movement for change and reform is still flowing. There are certain areas in which it will be necessary to resist the recommendations of the Select Committee, notably in its desire, in respect of European legislation, to deny Ministers a reserve power to make agreements in European negotiations without first taking the mind of the House. Such a reserve power is, in the Chancellor's view, essential. Similarly, on delegated legislation, the Chancellor does not favour an over-rigid approach (by the use of Standing Orders) to the objective (with which he is otherwise in sympathy) of ensuring that Statutory Instruments are given effective consideration in committee wherever possible.

It is, however, in the area of public bill procedure that the Chancellor feels that the degree of pressure for change emanating from all sides of the House is such that if the Government is to retain control of the House in the debate it must show itself willing to make a limited experiment. He is aware that from the point of view of business management, the general adoption of the Standing Committee's recommendations for up to three sittings in select committee form for the purpose of taking evidence during the committee stage of bills may add to the load

on Government; but it is his view that a limited experiment in the next session with two or three bills, probably of a non-controversial nature, would enable the Government, (i) to show opinion in the House that it was sensitive to the pressure to assist the consideration on merit of the detail of bills; and (ii) nevertheless, if the experiment revealed that any gain to the merit of the bills was outweighed by operational inconvenience, to withdraw from it subsequently.

The Chancellor is most anxious, knowing in particular the concern of his departmental colleagues to secure their business with as little difficulty as possible, to ensure that proposals which he makes to Cabinet will be regarded as broadly acceptable to the Prime Minister, and he has therefore asked me to let you have this note so that she may be aware of the direction in which his consultations point before he begins detailed work.

Yours ever,

Robin Birch

R A BIRCH
Private Secretary

Clive Whitmore Esq;
Private Secretary to the Prime Minister
10 Downing Street

Pashanant
cc for information

✓ Mr Pattison
Mr Colman (CSD)
Mr Taylor (HM Tsy)
Mr Wright (CO)

SELECT COMMITTEE ON THE TREASURY AND CIVIL SERVICE

1. Sir Derek Rayner has seen my minute of 20 June on this subject.
2. He has no wish to receive an invitation from the Select Committee on the subject of the "Centre".
3. However, he thinks that he must be responsive to all other reasonable requests from the Committee, not least to create the credentials he needs to justify his argument that he should not be called to other Committees.
4. I shall therefore inform Mr Hubback if he calls again that Sir DR is willing to put in an up-dating paper.

CP
C PRIESTLEY
24 June 1980

FILE
CONFIDENTIAL
Parliament
cc COLO

MR. WRIGHT
CABINET OFFICE

Departmental Select Committees: Memorandum of
Guidance to Ministers

The Prime Minister has seen Sir Robert Armstrong's minute of 18 June (A02377).

She is content that the papers should be circulated. She would, however, prefer the first sentence of the covering note to read:

"I circulate herewith a memorandum giving guidance on Ministerial and departmental relations with Select Committees of the House of Commons."

I am copying this minute to Robin Birch (Chancellor of the Duchy of Lancaster's Office).

N J SANDERS

20 June 1980

CONFIDENTIAL
VLB

PART 3 ends:-

NJS to PM 18.6.80

PART 4 begins:-

NJS to Cab Office 20.6.80