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CONFIDENTIAL FILING

The Attorney General's Office's Arrangements
for dealing with the Press.

INFORMATION and
PUBLICITY

January 1988

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
11-1-88							
14-1-88							
20-1-88							
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MANAGEMENT IN CONFIDENCE



10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

SIR ROBIN BUTLER

Further to my letter of 14 January to Michael Saunders and copied to you, you may wish to see the attached note of the record of my discussion with Michael Saunders in which I conclude that we should not, at least for the time being, change the No.10 press office role in the presentation of arrangements arising from Spycatcher and related litigation.

NLW

20 January, 1988.

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NOTE FOR THE RECORD

Bernard Ingham and I met Michael Saunders, the Attorney General's Legal Secretary, to discuss with him my letter of 14 January about the possibility of the Attorney General's Office establishing its own press office.

Mr. Saunders began by saying that he took much of the argument in my letter. But he could not accept its essential premise - that the Attorney General was the lead Minister in the Spycatcher and related litigation. His role was that of the nominal plaintiff on behalf of the Government, carrying out the instructions of the responsible Minister. The Minister responsible for Spycatcher matters was presumably the Home Secretary, and for Cavendish matters the Foreign Secretary. Mr. Saunders went on to say that for reasons of recent history, the present Attorney General had, from the time that he had assumed office, made it an important principle not to brief the press except on matters of general policy. Mr. Saunders himself was sometimes ready to answer questions from certain legal correspondents, though it was not his practice to initiate briefings.

The establishment of a press office in the Attorney General's Chambers would, Mr. Saunders argued, run counter to the spirit of the arrangements which he had described. The Attorney General would inevitably be drawn into the media's eye in a way which he felt was incompatible with the long traditions of his office.

We then discussed the possibility of either the Cabinet Office, Home Office or Foreign Office press offices assuming the lead role hitherto undertaken by the No.10 press office. There were disadvantages. The Cabinet Office were not the lead Department, and their press office was somewhat distant from the scene of activity. The Home Office, and to a lesser degree, the Foreign Office, had shown some ambivalence to the prosecution of the Wright and related litigation. If they

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were the lead Department, this ambivalence might percolate into the media. They could damage our legal cases, and make the Government's opponents more ready to press theirs. There was the further point that activity on Spycatcher and related litigation ought, we hoped, to die away by the end of this year; and certainly after the forthcoming Official Secrets legislation had been enacted. There was therefore a case for maintaining the present arrangements at least for the time being, especially since the press might comment, unhelpfully, upon any change. Mr. Ingham would, however, take whatever action he thought necessary to lower the Prime Minister's profile when that was thought to be appropriate.

I said that on this basis I accepted that we should maintain the accepted arrangements for the time being.

N. L. W.

N. L. WICKS

20 January, 1988.

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JD3BFY



10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

14 January 1988

No.10 Press Office act on occasions as Press Office for the Attorney General and his office. This is, I think, happening more often as the pace of and press interest in the Spycatcher and related litigation increases.

The Downing Street Press Office do not wish to shirk any work here. Nor, I hasten to emphasise, does anyone in Downing Street wish to leave the Attorney General in an exposed position in any way. It is well recognised here that in these civil proceedings, the Attorney is acting for the Government as a whole and that the normal conventions of collective responsibility apply. But I increasingly wonder whether it is right for the Press Office to take the lead in press presentation of these issues. Too often, this has given the impression that it is Downing Street - that is the Prime Minister - which is in the lead in the litigation concerned. Inevitably, this heightens the political profile and encourages those who want to argue the case that the Prime Minister is pursuing a vendetta against the press.

Moreover, it sometimes may be more helpful from the Government's viewpoint if the media's legal correspondents of are the main recipients of briefing. They will more readily appreciate the nuances of the Government's case rather than the political and lobby correspondents with whom the No.10 office normally deal. Of course, there will be occasions when Downing Street will wish to give some briefing on these legal matters in rather the same way as they brief from time to time on matters in which any department is taking the presentational lead.

All this suggests to me that there is a good case for the Law Officers' Department to establish its own facilities for dealing with the press. I recognise that this proposal has resource implications, which would need pursuing if the principle is agreed. Bernard Ingham is ready to help you choose a suitable Press Officer.

I am very ready to discuss this matter with you if you wish.

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I am sending a copy of this letter to Sir Robin Butler
and Bernard Ingham.

N. L. WICKS

Michael Saunders, Esq.,
Law Officers' Department

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Ref. A088/107

MR WICKS

c: Mr Ingham

C.F.

PC have letter

typed for
my signature
MW

The Attorney General's Office's
Arrangements for Dealing with the Press

Sir Robin Butler has seen your minute of 11 January on this subject and is content that you should write to Mr Saunders as proposed.

T A Woolley

T A WOOLLEY

13 January 1988

MR. INGHAM

N. Wicks
I am content with this draft. I would merely make two points: I think the chosen by Q. J. W., if there is to be one, should also cover the Solicitor General. The Lord Chancellor

THE ATTORNEY GENERAL'S OFFICE'S ARRANGEMENTS FOR DEALING WITH THE PRESS

has his ombudsman office. We would of course advise on a suitable press officer
B. W. 12/1

I should like to send the attached self-explanatory letter to Michael Saunders in the Attorney General's Office. But before doing so I would be glad to your comments, and those of Sir Robin Butler, to whom I am copying this minute.

N. L. W.

CF.

PL chase FERB's office for comments, if no reply by tomorrow.

N. L. WICKS
11 January 1988

EL3CKC

N. L. W.

13.1

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DRAFT LETTER FROM N.L. WICKS TO MICHAEL SAUNDERS, ATTORNEY
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EL3CKD

