FROM:

THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.

HOUSE OF LORDS,
SW1A 0PW

CONFIDENTIAL

Prime Minister.

file
10.V.

Prime Minister

Falkland Islands Inquiry

I agree generally with the Foreign and Commonwealth Secretary's suggestions in his minute of 5th May about the possible form of an inquiry into the way Government Departments discharged their responsibilities in the period leading up to the invasion of the Falklands. In particular, I am sure he is right to reject the possibility of a Tribunal of Inquiry under the 1921 Act.

I have considerable reservations about the suggestion that the proposed team of three Privy Counsellors might include a Judge. I appreciate the advantage of judicial independence and impartiality, but any inquiry such as is proposed is bound to be politically very sensitive and I can foresee considerable embarrassment if a Judge took part. I do not think their training suitable for this inquiry. If, however, our colleagues think it essential that the team of Privy Counsellors should include someone with judicial experience, we might perhaps consider a senior retired Judge, e.g. Lord Wilberforce, but the field is limited as the inquiry is limited to Privy Counsellors.

Copies of this minute go to the members of OD and Sir Robert Armstrong.

H: of St M.

10th May, 1982

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