

cf D. Wright

From: The Rt Hon Dr David Owen MP



HOUSE OF COMMONS  
LONDON SW1A 0AA

28 June 1982

The Rt Hon Margaret Thatcher MP  
Prime Minister  
10 Downing Street  
London SW1

*Dear Margaret Thatcher,*

Thank you very much for your letter of 21 June concerning the Falkland Islands Review. I look forward to discussing this issue with you tomorrow but I thought it might help if I was to indicate in advance the view of the Social Democratic Parliamentary Committee, following a discussion last Thursday on some of the areas.

It is the unanimous view of the Parliamentary Committee that the fundamental requirement is that the enquiry should be independent and be seen to be independent. As to the scope of the enquiry I have already expressed my own personal view in the Times but it is also the view of the Parliamentary Committee that it would be wrong to circumscribe the enquiry to only cover the immediate period prior to the invasion and that it is reasonable that the policy pursued by previous governments should be reviewed. But it was felt that this need not be a time-consuming procedure but that if it was a factor which could lead to a delay in the Report then this aspect should be reduced in thoroughness in order not to sacrifice the major priority which was to have an in-depth study of the events surrounding the lead-up to the invasion.

The Parliamentary Committee was quite emphatic on one point; that it would be totally inappropriate for the enquiry to be appointed by, and to report to, you. It has always been apparent that your decisions will be one of the key areas to be studied and therefore we can see no alternative other than to have an enquiry established by both Houses of Parliament.

There is a difficult question relating to the exclusion of material in the national interest. I would have thought, however, that a Committee of the standing and stature that I would envisage - having taken the view of yourself as to the material that should be excluded and having an opportunity to talk to the professional head of MI6 and if need be MI5 - ought not to have any difficulty in determining what exclusions were in the national interest. I recognise that this raises a difficult precedent, for any government must retain the responsibility for national security and I would be quite happy to look at any other procedure. But I do not think it is right that the Prime Minister and the Government, whose actions are being investigated, should have vested in them the sole right of exclusion.





It may be that an arbitrator, even from within the government but not themselves party to any of the decisions leading up to the invasion, could have that responsibility delegated to them.

On the wording of the terms of reference, reference only to "Departments" does seem a little strange. I imagine it does not envisage any restriction on the right to question Ministers, to see all Ministerial papers including Cabinet papers, and for the Committee to be able to call for any papers including intelligence and raw data that they require.

On the question of who should serve on the Committee I recognise that this is a difficult question of balance but we do not feel that restricting the Committee to three is any guarantee of either speed or thoroughness in producing the Committee's findings. We feel that it is essential that there is at least one person who can speak for the other parties in the House of Commons and that it would be totally inappropriate to restrict the Committee to former Ministers - one Labour and one Conservative. If you accept the case for a third politician then it might be necessary to add another two, making five in all. We would see some advantage in these two people not being politicians and preferably people not associated with any political party. We see great merit in the Chairman in particular being someone without a known political affiliation, and of high standing. We think this is more important than whether the person is an historian, academic or judge. I accept the case that if they are not Privy Councillors, they should be appointed to the Privy Council and I also feel there would be some benefit if they were also given a Life Peerage if they were not already a member of the House of Lords; since in this way the Committee could be established by an amendable resolution carried through both Houses of Parliament.

David Owen