file AH

MR MOWER

cc Mr Gow

PRESS ARTICLES BY CABINET MINISTERS

I mentioned to you that the Prime Minister has agreed that Mr Gow should encourage certain Cabinet Ministers to write some 'think-pieces' for The Times about the development of policy within their departmental responsibility.

These will be within the normal rules of procedure for Ministers, i.e. they will be articles about the work of their Departments. The rules require that, if any article contains material falling within the departmental responsibility of another Minister, that Minister should be consulted: in particular, anything touching on the prospects for the economy or with implications for public expenditure must be cleared with the Treasury.

We discussed and agreed that I should not write round to Private Offices about these articles, in case such a letter should leak. Instead we agreed that you would contact the Press Office of each Minister approached by Mr Gow and ensure that the rules were understood and would be observed.

Please will Mr Gow let you or me know when he has approached each of the Ministers concerned, so that these arrangements can be put in place.

F.E.R.B.

26 August 1982

AH

Agreed. Yes But John Biffen or Peter Walker could both write widely - also Nigel Lawson. But economics of them all not.

cc Ian Gow

Prime Minister

Articles by Ministers

Willie Rickett has told me the background to the attached, viz. that you and Ian Gow are thinking of Ministers' contributing think-pieces to The Times on the development of policy.

The short point is that it is within the present rules for a Minister to write occasional articles on policy within his departmental responsibility. If on any general basis Ministers wrote articles going more widely than their departmental responsibility it would require a change in the rules, which I think that you would have to announce in view of your answer to Arthur Lewis quoted in the minute below.

But Ian tells me that you are thinking of the former - i.e. articles on subjects within departmental responsibility - and, if so, no extension of the rules arises. I attach Ian's list of Cabinet Ministers who, in his view, would write good articles. He has it in mind to suggest to Charles Douglas-Home that, if he approaches these Ministers, he can expect to get a sympathetic response and to tell the Ministers that, if they agree to write such an article, they would have your support.

Yes Agree? FERB 25.8.

10 DOWNING STREET

1. GEOFFREY HOWE.

2. KEITH JOSEPH

3. JOHN NOTT (HE WROTE IN THE TIMES LAST MONTH)

4. JOHN BIFFEN

5. DAVID HOWELL

6. NORMAN FOWLER

7. NIGEL LAWSON

8. ARTHUR COCKFIELD.

9. FRANCIS PYM (SOMEONE ELSE COULD WRITE HIS ARTICLE FOR HIM).

25/8/1982

Ref. A09337

MR. RICKETT

Questions of Procedure for Ministers

You asked for advice on whether paragraphs 108-110 of the present Questions of Procedure for Ministers should be interpreted as precluding the contribution of an occasional series of articles by senior Ministers to The Times on the broad philosophy and policies of the Government.

2. These paragraphs, copy attached, follow the practice of previous Administrations and there has been no recent change in the advice given to Ministers on the question of contributing articles to the press (or, indeed, on the question of accepting fees). As you may be aware, Questions of Procedure for Ministers has been undergoing revision, but the revised draft which will shortly be submitted to the Prime Minister will not contain any changes of substance on this subject. It will merely make the advice on writing articles about the work of Ministers' Departments more permissive and would not constitute a significant change in practice.

3. As for interpretation, it is clear that a series of articles of the sort you suggest would go beyond the strict confines of a Minister's Departmental responsibility and beyond the spirit at least of the exceptional procedure envisaged in the latter part of paragraph 109. Perhaps more importantly it is likely that such articles would be generally seen as a clear breach of the long-standing practice which has been specifically reaffirmed in unambiguous terms by the Prime Minister as recently as 25 June this year in a Written Answer to Mr. Arthur Lewis:

> "The rule under this Administration remains that Ministers are precluded from the practice of journalism and from regular journalistic activities but may contribute to a journal or newspaper for the purpose of supplementing other means of informing the public about the work of their Department. They do not accept payment for such writings".

4. You may wish to be aware that a similar suggestion has been considered at least once before, in 1973, when the advice of the Secretary of the Cabinet against a change in practice was largely accepted although there was some extension of the latitude of the permitted exception covering articles about the work of a Department (paragraph 7.12 of the Precedent Book refers). I am sure that Sir Robert Armstrong would himself wish to offer advice if a revision of this rule was once again to be contemplated.

R. P. HATFIELD

25th August, 1982

Press articles

108. Ministers are precluded from the practice of journalism including the contribution of regular weekly or fortnightly articles to local newspapers in their constituencies.

109. Ministers invited to contribute to a book, journal or newspaper (including a local newspaper in their constituency), for the purpose of supplementing other means of informing the public about the work of their Department are not debarred from making such a contribution, provided that publication will not be at variance with their obligations to Parliament and their duty to observe the principle of collective Ministerial responsibility. Such contributions should however be made sparingly. In cases of doubt, and in all cases where a Minister is contemplating the contribution of an article going beyond the strict confines of his or her Departmental responsibility, the Prime Minister should be consulted, preferably before work has begun and in any case before any commitment to publish is entered into. In all cases where an article contains material which falls within the Departmental responsibility of another Minister, that Minister must be consulted. Ministers should not accept payment for such writings.

110. It is not in general desirable for Ministers to engage in controversy in the correspondence columns of either the home or the overseas Press. Ministers are not debarred from writing letters to newspapers; but the Prime Minister's authority should be obtained beforehand.

Books

111. Ministers may not, while in office, write and publish a book on their Ministerial experience.

Party publications

112. The rule in paragraph 108 does not debar Ministers from contributing to the publications of the political organisations with which they are associated. However, in all cases where an article contains material which falls within the Departmental responsibility of another Minister, that Minister must be consulted. Payment should not be accepted for such articles.

Interviews

113. In deciding whether to grant an interview to individual Press representatives Ministers will bear in mind the need to avoid allegations of favouritism. They may also consider that their own interests will be best protected if they are accompanied by a member of the Information Branch of their Department at such interviews.

114. Ministers are sometimes asked to give interviews to historians or other persons engaged in academic research or to fill in questionnaires at their request. Ministers should bear in mind the possibility that their views may be reported in a manner incompatible with their responsibilities and duties as members of the Government. Careful consideration should therefore be given to such invitations before they are accepted; in cases of doubt, the Prime Minister should be consulted.

in market opinion surveys, or

Royal Commissions

115. The Prime Minister should be consulted if any Minister is invited to address a Royal Commission or Committee of Enquiry.

FROM THE PRIVATE SECRETARY

HOUSE OF LORDS,
SW1A 0PW

22nd June, 1982

Willie Rickett Esq.,
Private Secretary to
The Right Honourable
The Prime Minister,
10 Downing Street,
London, SW1.

Gave clearance by phone Fitchew 23/6.

Dear Willie,

Broadcast Interview

Professor Bannerman, a professor at Indiana University, is on a six-month sabbatical in this country studying the English criminal justice system, with the intention of writing and producing a series of documentary programmes for radio to be broadcast nation-wide in the United States. He has asked if he might interview the Lord Chancellor, and record the interview for broadcasting.

The Lord Chancellor is in principle content to give him such an interview, but since it is for broadcasting he would be glad to know whether the Prime Minister has any objection. I understand that Mr. Mayhew, the Minister of State at the Home Office, has already given Professor Bannerman such an interview, presumably with the approval of the Prime Minister, so I imagine that she has no objection. Nevertheless I would be grateful for your confirmation of this.

Yours sincerely,

Michael Collon

M.H. Collon