

Ref. A086/275

MR FLESHER

Westland Debate: Leak Inquiries

--- As requested, I attach some notes on points which could come up in the debate, if questioners seek to compare and contrast the inquiry into the disclosure of the Solicitor General's letter of 6 January with other inquiries, past and current.

2. By way of background on the last of the attached questions and answers, you will wish to be aware that the inquiry by Mr Gordon Burrett into the disclosure of a document of 4 October (Mr Brittan's minute to the Prime Minister), set up on the Prime Minister's authority on 2 January, was expanded on 13 January to take in the disclosure of a further document of 18 October (a letter from Mr Hosker at the Department of Trade and Industry to Mr Mottram at the Ministry of Defence). The report is expected to be submitted to Sir Robert Armstrong by the end of the week. It is unlikely to identify directly any individual.

MS

M C STARK

27 January 1986

WESTLAND: NOTES FOR SUPPLEMENTARIES

Q. Why the long delay between the disclosure (6 January) and the decision to set up the enquiry (13 January)?

A. Not a long delay. In my statement I have given a detailed account of the sequence of events prior to announcement of the enquiry.

Q. What is the normal lapse of time between discovery of a disclosure and the setting up of an enquiry?

A. Varies - average around a week.

Q. How long between a) disclosure and b) setting up of enquiry in previous cases?

A. Ponting: 8 days
Tisdall: 5 days

Q. Why was this an internal inquiry whereas in the Ponting case the police were put in at once?

A. In Mr Ponting's case the fact that there was formal documentary evidence of the leak dictated an immediate inquiry by policy experts. In most cases, including the present one, there is no such documentary proof evidence available at the outset, and the normal practice is therefore to hold a preliminary inquiry, in the light of which my Rt Hon and Learned Friend can decide whether the leak should be regarded as a possible criminal offence and investigated accordingly.

OTHER WESTLAND LEAKS

Q. What other Westland leaks are being investigated?

A. Inquiries are under way to determine how the contents of Ministerial correspondence of 4 and 18 October became public over the Christmas period. These inquiries are not yet complete.

Q. When will these reports be submitted? Will they be published? If not why not? Has immunity from prosecution been offered? Will the police be brought in? Will any prosecutions be launched?

A. Once I have seen the reports I will consider whether there is anything which I can usefully tell the House about these matters.