



Prime Minister

Agree generally,

and especially on A,

B, C, D and E?

N.L.W.

28.1

Ref. A086/286

PRIME MINISTER

Westland: Attendance at Select Committees

The Trade and Industry Select Committee asked the Department of Trade and Industry to give evidence for the purpose of the inquiry which it has initiated into aspects of the Westland affair.

2. I was consulted about who should represent the Department. I said that in my view Mr Michell should not be included in the team. The Department was represented this afternoon by the Minister of State (Mr Geoffrey Pattie), Mr Alastair Macdonald and Mr Michael O'Shea (the Deputy Secretary and Assistant Secretary respectively for the Air Division).

3. The Department of Trade and Industry have also been summoned by the Select Committee on Defence for the morning of Thursday 30 January to give evidence on the Department's sponsorship responsibilities for Westland. The Committee has also summoned Mr Michell, Mr Mogg and Miss Bowe by name to give evidence to the Committee on "certain other matters" in this connection.

4. I have been consulted by Sir Brian Hayes about this. I have said that my view is that Mr Michell, Mr Mogg and Miss Bowe should not accept the summons to give evidence. The Department will be represented by Sir Brian Hayes, Mr Alastair Macdonald and Mr Michael O'Shea; and I have suggested that Sir Brian Hayes should reply to the Clerk of the Committee to the effect that he, supported by these officials, will be able to deal with the Committee's inquiries to the extent that the Department of Trade and Industry is able to assist them.

A



5. If Sir Brian Hayes is asked questions about the disclosure of the Solicitor General's letter of 6 January or matters related thereto, I have suggested that he should say that the Department can add nothing to your statement of 23 January, your speech of 27 January and the various answers that have been given to Parliamentary Questions.

6. I have asked Sir Brian Hayes to make sure that his Secretary of State agrees with this line. I should be glad to know whether you approve it.

7. The Secretary of State for Trade and Industry has been wondering whether to suggest to the Chairman of the Select Committee on Defence that the Committee should call its inquiry off. I have told Sir Brian Hayes that in my judgment it would be better for the Secretary of State not himself to do that. I have suggested that, if he wants to pursue the idea, he should discuss it with the Lord Privy Seal and the Chief Whip.

8. I suppose that it is possible that Mr Charles Powell and Mr Bernard Ingham may be summoned to give evidence to one or other of the Select Committees that are inquiring into aspects of the Westland affair. It is well understood that Select Committees do not summon the Prime Minister, and I do not think that it would be a good idea to set a precedent for the appearance before Select Committees of members of the Prime Minister's office. If Mr Powell and Mr Ingham are summoned, one possibility would simply be for them to decline the summons. But the convention has been that, if a Select Committee summons a particular official and that official is not authorised to accept the summons, another more senior officer, or even a Minister, is offered in his place, so that the Committee cannot argue that there has been an absolute refusal to give evidence. It would be no less objectionable for Mr Wicks to give evidence than for Mr Powell and Mr Ingham to give evidence. It would not be right for you to give evidence. If, therefore, Mr Powell and

[There is now a Commons motion to this effect]



D
E
Mr Ingham were to be summoned, and it was felt necessary to offer another official in their places, I think that the only official who could be offered would be the Head of the Department to which your office is attached - that is to say, the Cabinet Office. I have absolutely no desire to appear before any of the Select Committees investigating the Westland affair; but, if it were thought to be the only possible way of getting out of a summons to Mr Powell and Mr Ingham, I should be prepared to accept instructions to attend. In relation to any questions about the role of Mr Powell and Mr Ingham in the affair, I should confine myself strictly to your statement and your speech, and any questions you might have answered or letters you might have sent to Members of Parliament on the subject, and I should have to refuse to be drawn into more details about the contents of my inquiry.

9. I am sending copies of this minute to the Lord Privy Seal and the Chief Whip.

RTA

ROBERT ARMSTRONG

28 January 1986