

file to

PRIME MINISTER

Following your letter to Dr. Owen of 30 January, in which you explained that matters of discipline are for Heads of Departments, Dr. Owen wrote to Sir Antony Acland and Sir Robert Armstrong urging them to consider disciplinary action against Mr. Powell and Mr. Ingham. In these letters (copies attached) he uses wording drawn from a section of Estacode (Kb2), the first two sentences of which are:

"Discipline is a matter for the Head of the Department and derives from two responsibilities. First is the general responsibility to Parliament, and second is the responsibility of the Accounting Officer to the Public Accounts Committee".

In fact, though discipline is (as you said in your letter of 30 January) a matter for Heads of Department, the discharge of their duties in that as in other respects is within the general responsibility of Ministers to Parliament for the policies and management of their Departments.

In these circumstances Sir Robert hopes that you will agree that it would be more appropriate for you to reply to Dr. Owen.

There is a case for a short terse reply. But Sir Robert favours the fuller version attached because - to use his own words -

"the paragraph in my draft which described what I said to the Select Committee on 5 February about disciplinary proceedings is of course based on the transcript, though it is slightly shortened from what I actually said. I should be reluctant to deal with Dr. Owen in quite such short order as you suggest: apart from anything else, I



should not want to give him the excuse to come back to the Prime Minister later on and say that she has misled him by so drastically abbreviating my answer; and I suppose I feel that, as I gave a slightly thoughtful reply to the Select Committee, it would be preferable not to do much less than that for the leader of an opposition party."

If you want a shorter treatment than in the draft attached, I can provide one.

N.L.W.

NLW

14 February, 1986.

JD3AJH