



Prime Minister

Very tedious, but

proper answers can be given to the questions. Clearly it is desirable if a way can be found. N.L.V.

Ref. A086/700

MR WICKS

Defence Committee

I now attach a list of the supplementary and additional questions which the Defence Committee wish to ask me when I appear next Wednesday 5 March.

2. It all looks like a tremendous fishing expedition; and the questions are almost if not entirely all so far removed from "defence implications" of the Westland affair as to have no perceptible connection.

3. I think we have to find some way of handling this without going through all these questions in public session. I am giving some thought to this, and will submit further advice on Monday 3 March.

4. I am sending copies of this minute to the Private Secretaries to the Lord President, the Lord Privy Seal and the Chief Whip.

REA

ROBERT ARMSTRONG

28 February 1986

Notice of Questions for Wednesday 5 March

1. In answer to Q.920 Mr. Brittan said that he communicated the Solicitor-General's view of Mr. Heseltine's letter (after Mr. Brittan had consulted the Solicitor-General on 4 January but before the Solicitor-General wrote his letter of 6 January) "to my Department who communicated it to No.10". Who in the DTI communicated the Solicitor-General's view to which official in No.10 and when?

2. Did you inquire whether, when the Solicitor-General's preliminary view was known by this means, any consideration was given to informing Westland of the fact?

3. Were officials in the DTI or No.10 aware that the Solicitor-General had discussed Mr. Heseltine's letter of 3 January with Mr. Heseltine on the night of 4 January? Did you ask them this in the course of your inquiry?

4. When and how did Mr. Ingham, Mr. Mogg and Miss Bowe first know - that the Solicitor-General was being asked to consider the letter of 3 January from the then Secretary of State for Defence?
- that the Solicitor-General's letter of 6 January was being written?

5. What action did Mr. Ingham believe the Prime Minister wanted after the receipt of the copy of the Solicitor-General's letter, and what formed this view?

6. (a) In answer to Q.1342 you said "As to ... whether the Secretary of State had prior authority from the Prime Minister, I naturally addressed that matter in the inquiry and I find absolutely no evidence whatever that he did, and I do not believe that he did". How was it possible to form this clear view by speaking only to officials?

(b) On ^{the morning of} 6 January, did Mr. Brittan discuss with any official in the DTI either an expectation that the Solicitor-General would write or the possibility of disclosing his advice?

7. In answer to Q. 1218 you said that there were calls earlier in the morning of 6 January between No.10 and the DTI about the general situation but not about the Solicitor-General's letter. Can you be more precise about the subjects of these calls? How many took place? Which officials were involved?

8. Was any of the officials involved aware, before the disclosure, of any view expressed by Westland plc about Mr. Heseltine's letter of 3 January or about the need to have any correction in the public domain by the time of the Press Conference on 6 January? Did you yourself ascertain the views of the company?

9. How many copies of the Solicitor-General's letter were made at No.10 and at the DTI, and to whom were they distributed?

10. You told the Committee [Q.1216] that the Private Secretary at the DTI tried to speak to No.10 before speaking to Mr. Brittan but that the Private Secretary's line concerned was engaged. What was to have been the purpose of this call?

11. The Prime Minister is reported [Official Report, 23 January 1986, col. 450] as saying that the Solicitor-General's letter was brought to the attention of the Secretary of State for Trade and Industry at about 1.30 p.m. on 6 January. You told the Committee that after the conversation between the DTI official and Mr. Brittan the time was "I do not know, quarter past one, twenty past one, something around about that time; it is impossible to say exact times but near enough" [Q.1190]. Did the Prime Minister rely on your report for the time of the call, or is there any error in the record? Was the time of the call included in your report?

12. In answer to Q.1190 you said "... what was clear at the end of the conversations was that the Prime Minister's office and the people to whom the DTI spoke accepted that the DTI should make the disclosure and agreed that in the time available the only practicable way of getting the matter into the public domain within the time constraint (the 4 o'clock deadline) was the method that was eventually adopted". Did Mr. Ingham in fact give instructions or advice to anyone in DTI about the form or method of the disclosure of information?

13. Was Mr. Ingham as the most senior information officer aware that the advice of Law Officers was in a special category? If so, did he warn anyone at any stage about the undesirability or the consequences of revealing Law Officers' advice? [You said in answer to Q.1227 that at the "specific point" when officials of the DTI consulted No.10 no caveat was entered by No.10 officials]

14. Had Miss Bowe been involved with the preparation or approval of the DTI Press Statement (Ref.12) sent by special messenger to be distributed at the Westland Press Conference? [See Q.1254].

15. How was the collective view between No.10 and the DTI of the need to make the Solicitor-General's view public formed?

16. What consideration was given to any method of disclosure other than that adopted? [Q.1299 refers].

17. The Prime Minister told the House that Mr. Brittan "made it clear that, subject to the agreement of my office ..."
[Official Report, 23 January 1986, col. 450; and again at col. 655 of 27 January]. Mr. Brittan repeated this in the House [col. 671 of 27 January] and to the Committee [Q.933: "I would particularly stress, it all had to be subject to the agreement of No.10"].

In answer to Q.1196 you said that Mr. Brittan did not use the words "subject to the agreement of". Did you ask Mr. Mogg whether or not Mr. Brittan used these words? Would you have preferred to have been able to ask Mr. Brittan directly whether he used those words?

18. When did Miss Bowe first see a copy of the Solicitor-General's letter and by what means?

19. In answer to Q.1324 you said that Miss Bowe "shared her burden" with the other officials directly associated with the matter. Who were they? Was any of them senior to Miss Bowe?

20. Did any of the officials concerned seek the advice of a professional association?

21. Did Miss Bowe consult Sir Brian Hayes after the contents of the letter had been disclosed?

22. Why were extracts from the Solicitor-General's letter given to the Press Association unattributably?

23. Would it have been normal for the five officials concerned to have been available over the whole of the period from 1200 to 1430?

24. Who was present when the Prime Minister discussed the matter of the disclosure with her office on 7 January? [See Official Report, 27 January 1986, col. 657, and Q.1342].

25. When did Mr. Ingham first give (a) to the Prime Minister and (b) to you details of the contacts between No.10 and the DTI and their outcome? Was there any further discussion on this matter before the Prime Minister authorised the institution of an inquiry?

26. In the light of the Solicitor-General's letter of 7 January to Mr. Heseltine, when was the Solicitor-General told, and by whom, that disclosure had been authorised?

27. Why did you not frame clear terms of reference for your inquiry and agree them with the Attorney-General? You said in answer to Q.1267 that you were asked "to find out the circumstances of the disclosure". Was it in these precise terms that the Prime Minister instructed you?

When and where were your interviews conducted? [An answer on one point is given in Q.1273].

28. On what basis did you form the view that it was possible to elicit the facts without interviewing Ministers? [Q.1114 refers].

29. In what proportion of such inquiries in the last ten years have Ministers been interviewed or have otherwise given information to the official conducting the inquiry?
30. What do you understand by the Prime Minister's statement that she 'co-operated' with your inquiry [Official Report, 27 January 1986, col. 656]? What form did the co-operation take?
31. Did you at any time consider interviewing any official in the Law Officers' Department?
32. Has any of the five officials you interviewed seen a copy of your inquiry report?
33. Did Mr. Brittan receive a copy of your report before you discussed it with him and with the Prime Minister?
34. Did your discussion with the Prime Minister and the then Secretary of State for Trade and Industry cause you to change anything in your report? or would you have done so had your report not by then been submitted? [Q.1115 and Qs. 1166-1167 refer].
35. In the light of your inquiry on this occasion have you considered amending any advice given to civil servants on their relationships with Ministers?
36. Did the Solicitor General ask that an inquiry should be instituted?

