



MINISTRY OF DEFENCE

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MO 26/3/L

Prime Minutes 27th March 1986

Simply to note at this stage.

(I will find out more details
of the outcome of Mr Bryars')

Dear Nigel,

ADMIRAL HILL-NORTON'S REPORT ON WARSHIP DESIGN

investigator.)

As you know, we are waiting for Admiral Hill-Norton to produce the results of his private inquiry into the merits of the Thornycroft, Giles & Associates (TGA) design of a "short fat" warship; this will probably appear shortly after Easter. In the meantime we have been making such preparations as are possible before we know what is in the report.

N.L.W
27.3

After discussion with you, Clive Whitmore invited Desmond Bryars, a former Deputy Secretary recently retired from the MOD, to study the voluminous papers on the subject to consider the extent, if any, of MOD involvement in the matters on which TGA are taking legal action against British Shipbuilders (BS) in the High Court (TGA claim that BS helped themselves to information from the TGA Osprey design), and whether we gave fair consideration to another TGA design (the S90) as a possible solution to the Royal Navy's requirement for a frigate which is now being met by the Type 23. Mr Bryars has given the Department a clean bill of health on the non-technical issues (subject to tying up one loose end), and there is no more detailed work that can be done before we know precisely what the Hill-Norton report says.

But a general point is worth considering now. We understand that Admiral Hill-Norton is likely to recommend an independent inquiry into the main issues, namely the merits of the "short fat" over the "long thin" design. While there are some disadvantages in holding such an inquiry, Mr Younger thinks there could be benefit in agreeing to an independent examination if only to put to bed a dispute which has been rumbling on for many years. Clearly such a review could not properly look into the matters which are the subject of litigation. But it might be possible to separate out the specifically scientific issues for examination by a distinguished naval architect or scientist. It will be difficult to find someone who is both sufficiently knowledgeable and without previous links to this debate (in the small world of naval architecture), but we are looking for possible names.

Nigel Wicks Esq
No 10 Downing Street



There is no need to come to a decision about whether to hold an inquiry, and if so, what its membership and terms of reference should be, until we have seen the Admiral's report. In the meantime, we will take the line when the report is published that we will examine it with care; that we took great pains some years ago to ensure that the S90 design was given fair consideration; but that if the report makes a good case for a further review we are certainly prepared to consider how best to re-examine the main points at issue.

Because of the legal dimension to all this I am sending a copy of this letter to Henry Steel.

Yours sincerely,

John Howe

(J F HOWE)

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cc Bly ✓

10 DOWNING STREET

From the Private Secretary

1 April 1986

Thank you for your letter of 27 March to Nigel Wicks about Admiral Hill-Norton's report on warship design which the Prime Minister has noted. It would be helpful if we could have more information on the assertion that Mr. Bryars has given the Department a clean bill of health on non-technical issues, particularly in relation to the papers from the Policy Unit which Nigel Wicks passed to Sir Clive Whitmore some time ago.

TIM FLESHER

J F Howe, Esq.,
Ministry of Defence

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Communications on this subject should
be addressed to

THE LEGAL SECRETARY
ATTORNEY GENERAL'S CHAMBERS

ATTORNEY GENERAL'S CHAMBERS,
LAW OFFICERS' DEPARTMENT,
ROYAL COURTS OF JUSTICE,
LONDON, W.C.2.

Your Ref: 26/3/1
Our Ref : 400/86/65

15 April 1986

NBM

J F Howe Esq OBE
Ministry of Defence
Main Building
Whitehall
LONDON S W 1

J F Howe,

The Osprey Case

I have seen your letter of 27 March to Nigel Wicks, a copy of which you sent to Henry Steel.

I do not think an independent inquiry of the type you say Admiral Hill-Norton is likely to recommend could be said to prejudice the action brought by TGA against British Shipbuilders. Those proceedings appear to be confined to the peripheral issue of copyright and not with the relative merits of the traditional and "short fat" designs.

I presume that the "Osprey" line plan is only a particular application of the "short fat" concept and I should have thought it was possible for any report to discuss ship design in general terms without touching upon the matters which are the subject of the litigation. If, however, you foresee any particular problems I should be happy to advise further. I understand the action is likely to be heard in January or February next year.

I am sending a copy of this letter to Nigel Wicks.

Chris Lawrence
D J Serjeant

D J SERJEANT

Wet land Shipbuilding Pt 9

