

cc. to what more

Security



10 DOWNING STREET

THE PRIME MINISTER

Friday 20th March

Michael,

As that there shall
be no doubt, I leave it entirely
to your judgment, whether or not
you are interviewed on radio or T.V.
about the Haslemere matter.

Ray out

The A-G

Copy to B.I.

B.R. Hayman P

SECURITY
HAYMAN

CF file
MS
19/3

● LINE TO TAKE

Security

The failure to report the matter at the appropriate time was the result of administrative oversights, which are regretted. Steps are being taken to prevent a reoccurrence.

~~No action~~ + See notes that have come out of all investigations. No hope to suggest that security procedures

POSSIBLE SUPPLEMENTARIES

Q1 When was the matter drawn to the attention of Security Services?

In October 1980.

Q2 Why was it not reported at the time?

Through administrative oversights following the decision not to prosecute.

Q3 What is being done to prevent this being done again?

In respect of cases which are reported to the Director of Public Prosecutions steps are being taken to reinforce instructions to staff to report sensitive circumstances to their senior officers for a decision to be made whether the matter should be referred to those concerned with security. In respect of the vast majority of cases, which are not referred to the Director, he and the Attorney General are considering what may be done. This may involve consultations with other Government departments.

19 March 1981

D.P.P.
SIR PETER HAYMAN

BACKGROUND NOTE

At attempt was made to contact Security Services when the first Police report was under consideration. The contact was unavailable and his secretary said he would ring back - he did not do so. Later, the final decision not to prosecute was reached and the need to chase the unreturned telephone call was over-looked.

Security Services were informed following the article in Private Eye for 24 October 1980.

In the context of the decision not to prosecute, there is a conflict between precautions needed to prevent the possibility of offences being committed in the future and the rights of the individual. (See Sir Robert Armstrong's minute of 27 October 1980, reference A03354). When Security is at stake the balance in favour of taking preventative steps ought, perhaps, to prevail. There is a further problem. The Director of Public Prosecutions deals with only a small percentage of all criminal injustices. Many sexual offences or other offences which might leave the culprit vulnerable to blackmail will not be reported to him in the ordinary way. But the Attorney General is considering with the Director what steps should and can be taken to ensure that cases, in which security may be or may not be at risk, are identified and reported. Since many cases will not come to the Director's attention the Home Office may have to be consulted. The Director will be taking steps to remind his staff again that they should be on the lookout for sensitive circumstances and report any to their senior officers.

PARLIAMENTARY QUESTION

FOR WRITTEN ANSWER

THURSDAY, 19TH MARCH 1981

QUESTION

62 W MR GEOFFREY DICKENS: To ask Mr Attorney General, if he will prosecute Sir Peter Hayman under the Post Office Acts for sending and receiving pornographic material through the Royal Mail.

MEMBER'S CONSTITUENCY: Huddersfield West (CON)

ANSWER

THE ATTORNEY GENERAL: In 1978 a packet containing obscene literature and written material was found in a London bus. The subsequent police investigation revealed a correspondence of an obscene nature between Sir Peter Hayman and a number of other persons. Altogether a total of seven men and two women were named as possible defendants in the report submitted by the Metropolitan Police to the Director of Public Prosecutions.

The Director advised against prosecuting any of the nine persons either under section 11 of the Post Office Act 1953 or for any other offence. Among the considerations he took into account were the factors that the correspondence had been contained in sealed envelopes passing between adult individuals in a non-commercial context and that none of the material was unsolicited.

/Subsequently

Subsequently the Metropolitan Police submitted a further report which revealed that one of the nine, not Sir Peter Hayman, was also carrying on a correspondence with a tenth person. The police investigation showed that the two shared an obsession about the systematic killing by sexual torture of young people and children. In view of the extreme nature of the material they had sent each other the Director of Public Prosecutions decided to prosecute them for conspiring to contravene section 11 of the 1953 Act. There is no evidence that Sir Peter Hayman has ever sent or received material of this kind through the post.

It has been suggested that Sir Peter Hayman was considered as a possible defendant following the police investigation into the conduct of the Paedophile Information Exchange (PIE), which led to the recent trial at the Central Criminal Court for conspiracy to corrupt public morals. That prosecution was against persons alleged to have been involved in the management or organisation of PIE. Although Sir Peter Hayman had subscribed to PIE, that is not an offence and there is no evidence that he was ever involved in the management. At the recent trial, whilst there were general references to members of PIE (including, though not by name, Sir Peter Hayman), there was no reference to any material produced by him or found in his possession.

I am in agreement with the Director of Public Prosecutions' advice not to prosecute Sir Peter Hayman and the other persons

/with

with whom he had carried on an obscene correspondence.

The Director of Public Prosecutions and I remain determined that, where the evidence justifies it, prosecutions will be brought in cases involving sexual acts with children or offences under the Protection of Children Act 1978 (indecent photographs of children).

PARLIAMENTARY QUESTION FOR PRIORITY WRITTEN ANSWER ON
THURSDAY 19 MARCH 1981

Mr Geoffrey Dickens: To ask the Attorney General if he will prosecute Sir Peter Hayman under the Post Office Acts for sending and receiving pornographic material through the Royal Mail.

DRAFT ANSWER

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7/12/78

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Jan 79

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I am in agreement with the Director of Public Prosecutions' ^{that, deplorable tho' these activities have been,} advice not to prosecute Sir Peter Hayman and the other persons with whom he had carried on an obscene correspondence. ^{should not be prosecuted.}

The Director of Public Prosecutions and I remain determined that, where the evidence justifies it, prosecutions will be brought in cases involving sexual acts with children or offences under the Protection of Children Act 1978 (indecent photographs of children).

PREM 19/588

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MP's questions name Sir Peter Hayman: 'Embarrassment is known to the world'

SHAME OF THE 'PORN' ENVOY



NAMED — Sir Peter Hayman, a former High Commissioner to Canada.

SIXTY - SIX - YEAR - OLD Sir Peter Hayman, former High Commissioner in Canada, was formally named in the Commons today as the diplomat referred to in the Old Bailey child pornography trial.

by Keith Dovkants and Baz Bamigboye

This was done in two questions tabled by Tory MP Geoffrey Dickens (Huddersfield West). Both questions appeared in today's Parliamentary Order Paper.

At the Old Bailey, the diplomat, a church sidesman and holder of City directorships, was referred to anonymously under the code - name "Mr Henderson."

Both questions were set down for written answers, so there will be no opportunity for Mr Dickens or other MPs immediately to raise supplementary points.

Mr Dickens tabled the questions last night against the strong advice of Attorney General Sir Michael Havers, who urged the MP not to name the man, who has not been prosecuted.

One question, to Mr Francis Pym, Leader of the House and Chancellor of the Duchy of Lancaster, asks "if he will move to set up a select committee to investigate the security implications of the entries contained within the volumes of Sir Peter Hayman's diaries referred to in the trial of Tom O'Carroll at the Old Bailey."

The second question is to the Attorney-General asking him "if he will prosecute Sir Peter Hayman

under the Post Office Acts for sending and receiving pornographic material through the Royal Mail."

Today Sir Michael Havers launched a caustic attack on Mr Dickens for his action, saying: "This should never have happened. There cannot be any justification for it — it is a wholly unnecessary fuss."

The Attorney-General explained that Sir Peter Hayman and nine other men who were questioned about the posting of obscene material were never prosecuted following a decision by the Director of Public Prosecutions.

Sir Michael backed this decision and said: "Absolutely nothing at all has been achieved in naming a man who has been retired for seven years. All Mr Dickens has done is made certain that Sir Peter's shame and embarrassment is known to the world."

"There cannot be any justification whatsoever for what has happened. Sir Peter has been retired for a long time so the security aspect does not come into it."

"How has the public gained by this? How can it be in the public interest to name this man? I hope that by the end of the day we will see an end to it."

Referring to the Commons question he has to answer he said that he would be giving a detailed written reply. "It sets out the facts—at least people

Continued Page 2, col. 5

London disorder warning to GLC

by Michael King

DISORDER could break out if the Government continues to deprive London of cash, warned a GLC Labour councillor.

Mr Norman Howard said there were increasing signs of decay in many parts of the capital and if it was allowed to continue there would be "social disorder" of the kind seen in the St. Paul's district of Bristol last year.

"I would hazard a guess that, unless we tackle some of the problems of our ethnic minorities, the same sort of thing will burst out here," he said. "We have already had a taste of it with the march from Deptford last month."

Mr Howard, a moderate Labour member representing Brent East, added that he was particularly worried about the latest crime figures when related to London's high level of unemployment.

His attack came last night during a censure debate on Sir Horace Cutler's Tory administration at County Hall. Labour claimed that GLC policies, coupled with those of the Government, had put an intolerable burden on London's stress areas.

MPs' inquiry

THE all-party home affairs committee of the House of Commons is to conduct an inquiry into the operation and effectiveness of the Commission for Racial Equality.

12-month freeze on LEB prices

by John Williams

THE London Electricity Board has promised to freeze prices for a year following protests over an 11 per cent increase due to take effect in a fortnight.

The April 1 increase is the third in a year. It has been bitterly opposed by the consumer watchdog, the London Electricity Consultative Council.

Now, following lengthy talks, the LEB has promised the council to hold prices steady for a year.

Mr Roger Barnard, the council's secretary, said today: "We can also make a promise—we will hold them to their pledge."

The new increases will be officially announced in the next few days.

The annual bill for a domestic consumer using 1000 units will jump from £206 to £229.

Industrial customers will face a 14.6 per cent rise, which is bound to anger firms already struggling to cope with high fuel costs.

The reason for the difference is that domestic customers were over-charged last August when prices rose by 11 per cent.

Electricity chiefs had budgeted for big rises in their own fuel bills, but the price of coal and other energy went

up more slowly than expected. The LEB says it is now compensating families by scaling down next month's increase, although the LEB claims even more could have been "given back" to the LEB's 1.5 million domestic customers.

The neighbouring Eastern Electricity Board has held its increase to 7.2 per cent.

There was already an 11 per cent price gap between the two boards.

Michael Heath

LEER...
VOTE
CONSERVATIVE
I
SUPPOSE



"Even their advertising agency is losing confidence."

The shame of Sir Peter Hayman

Continued from Page 1



UXMORE HOUSE, Sir Peter Hayman's home

should have a proper idea of the facts as they are," he added.

"It is completely untrue to say there was a cover-up. When the matter with which Sir Peter is concerned initially came to light he was one of a number of people involved."

"Papers were sent to the Director of Public Prosecutions and he decided that since there was no commercial gain and because it was between grown-up adults and because there was no corruption to the public there was no prosecution."

"This was a private affair between grown-up people and basically we do not prosecute under the Post Office Acts when there is no commercial gain and no corruption."

Sir Michael said he did not believe there had been any security risk involving Sir Peter who held high-ranking posts in key places including Berlin and New York and was also on the staff of the

Ministry of Defence at one point in his career.

Mr Dickens was unrepentant about his decision to reveal the name. "I named Sir Peter after a lot of careful thought and consideration," he said. "I came under a lot of pressure but I feel that I did what had to be done."

"When you are in an area of child pornography you are on a serious subject and every parent in the land has a right to know."

"This is not a moral question and I am not making any attempt to make a moral judgment. I don't know Sir Peter—I've never met him—and have nothing against him personally."

"If I had known the names of the other people involved I would have brought those out too."

One of Mr Dickens's fears, it was reported earlier, was that Sir Peter could have become victim vulnerable to pressure from foreign agents.

But Foreign Office Minister Mr Douglas Hurd said in a written answer last night: "The security authorities have carried out a full investigation. This has revealed nothing to suggest that security has been prejudiced."

Information

At the Old Bailey last week O'Carroll, 35, chairman of the Paedophile Information Exchange, was jailed for two years for conspiring to corrupt public morals.

Mr Dickens claimed that the police at the hearing were "absolutely staggered" that the diplomat had not been charged as a result of what had been found in his flat.

He had left the pornographic material on a bus and detectives questioned the diplomat after the material had been found.

It was in October 1978 that Porn Squad officers, seeking a "R. Henderson", raided a small flat in Linden Gardens, Notting Hill Gate, West London.

They found Sir Peter who broke down and cried when questioned about obscene picture of women, and 46 quarto diaries cataloguing six years of sexual fantasies.

As well as the diaries, police found articles of female clothing and letters from men alleged to be involved in paedophilia.

A brilliant career—and questions of security

Standard Reporter

SIR Peter Hayman occupied a chain of top-security jobs during a brilliant Whitehall career.

Now Mr Geoffrey Dickens's move rouses questions once again about the practical use of positive vetting by MI5 and MI6.

How did a potential black-mal risk come to hold highly sensitive posts at the Ministry of Defence, NATO and in Berlin?

Sir Peter Hayman, a father of two, topped a distinguished career as British High Commissioner in Canada from 1970 to 1974.

From 1964 to 1966, he was Foreign Office Minister and Deputy Commandant in the British Military Government of West Berlin.

In the fifties Sir Peter served on the British delegation to NATO and in 1949 was personal assistant to the Chief Staff Officer to the Minister of Defence. He was knighted in 1971.

Abroad

Sir Peter and Lady Hayman left last week for a motoring holiday in Europe, and their son Christopher, editor of a magazine based in Colchester, was reported as saying: "We have no idea where they are or when they will be back."

They also have a married daughter, who lives in Canada.

Their home, Uxmore House, on the outskirts of the Oxfordshire village of Checkendon, is a large Georgian manor house set back from the road.

The Haymans have taken active roles in village life, and worshipped at the local Anglican church, where Sir Peter was a sidesman and his wife a

member of the parochial church council.

In 1979 Sir Peter reached the semi-finals of the BBC-TV Mastermind quiz programme. He answered questions on the marshals of Napoleon and the life of King George V.

Since being named by Private Eye magazine last October as the target of a Porn Squad raid Sir Peter has resigned directorships of a series of companies and a students' charity.

He was a governor of International Students House in Great Portland Street, a trust which provides facilities for overseas students, from 1975.

Dumbfounded

Major General Sir John Nelson, the chairman, said: "I was waiting for the resignation and it came. I didn't have to ask for it. He was very apologetic although he obviously admitted nothing."

Sir John said: "He was my deputy in Berlin. I am dumbfounded at the news. He had a happy family and there was absolutely nothing wrong with him. He was outgoing, humorous and amusing."

"Like me, he would have had special screening, and I am certain there was no question of a security risk. I am appalled about the whole thing."

Mr Anthony Shaw, director of International Students House, said it was obvious Sir Peter had resigned to avoid embarrassing the organisation.

"He was one of more than 30 governors. Naturally, I am concerned for the name of the House."

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13 DAY GOLF FIESTA 25-4-81

WEATHER

FORECAST: Mainly dry; cloudy at first, becoming brighter.

SHADE TEMPERATURE: 9 a.m. 41 F. (5 C.); barometer: 1010.8 millibars (29.85 inches), falling.

HIGH TIDE at London Bridge: 12.42 p.m.

OUTLOOK: Mainly dry with some bright intervals.

CHANNEL: Moderate to rough.

LIGHTING-UP TIME: 6.39 p.m. to 5.36 a.m. Sun sets 6.09 p.m., rises 6.09 a.m. Moon rises 3.48 p.m., sets 5.37 a.m.

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PRIME MINISTER

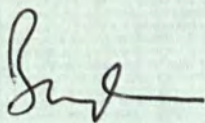
*discussed with PM
M*

Attorney General/Sir Peter Hayman

Just to bring you up to date on the question of a press conference by the Attorney General which, of course, you banned.

You should be aware that a request for advice from the Attorney General was received while I was in a meeting just before I had to go over to conduct the 4 p.m. Lobby. I had not at that time seen the draft reply to the question down to the Attorney General for answer tomorrow. My advice, however, was that on no account should the Attorney General see the press on this subject either before or after giving his answer. Nick Sanders agreed with me when we met in the street on my way to the Lobby. He subsequently raised the matter with you.

About an hour later I discovered the Attorney General's interview with the "New Standard" - see the passages marked in the attached cutting from the "New Standard" (both sides of the sheet). You will see that the Attorney General has, to all intents and purposes, anticipated his parliamentary answer.



B. INGHAM

18 March, 1981

17 March 1981

C Mr Geoffrey Dickens (Huddersfield West): To ask the Secretary of State for Defence, whether, in view of the references to the conduct of a former senior civil servant of the Ministry of Defence in the case of Regina v. Thomas O'Carroll and others, he will cause an investigation to be made of the extent to which a security risk occurred at the posts at which that official served.

No 69W

MR DOUGLAS HURD

I have been asked to reply.

The Security authorities have carried out a full investigation. This has revealed nothing to suggest that security has been prejudiced.



Peter Hayman

A-G

THE CASE OF SIR PETER HAYMAN

LINE TO TAKE - Security Aspects

The Security authorities have undertaken a full investigation and have concluded that there has been no prejudice to security.

PA
(CF file)
MS

A full investigation has been carried out and has revealed nothing to suggest that security has been prejudiced.



BACKGROUND NOTE

1. Following allegations about Sir Peter Hayman which appeared in Private Eye of 24 October 1980, the Security authorities undertook an investigation with a view to discovering whether anything was known or suspected about his activities whilst he was serving in the Diplomatic Service and whether there was any reason to suppose that security had been compromised. Sir Peter first came to the notice of the Authorities in 1978 following a Police investigation of pornographic literature traced to a flat which he rented.

2. At that time the Attorney-General decided there was no case for a prosecution. Following the Private Eye allegations however, the security investigation was undertaken. It is now complete and the Security authorities have concluded that there has been no prejudice to security.



XQPF 1/965(H)

Parliamentary Unit

SIR PETER HAYMAN : SECURITY ASPECTS

1. We spoke. I submit advice for the Prime Minister for use at Question Time this afternoon. The line to take has been agreed with the Security Service and the Cabinet Office and the Home Office has been informed. (If the Question is not put this afternoon, the line to take would form the basis of the reply to Question No 69 tabled for written answer by Mr Geoffrey Dickens.)
2. The Attorney-General's office is sending separate advice to the Prime Minister on other aspects.
3. In the absence of the LPS in Brussels, we have spoken with Mr Hurd's office but because of the short time factor would be grateful if you will arrange necessary clearance with FCO Ministers.
4. The Security Service has kept the Royal Canadian Mounted Police abreast of the enquiries for their own information, and we will of course ensure that Ottawa and Bonn are informed of whatever is said in the House.

I S Winchester
 Security Department
 M408 273-5627

Copied to:-

Private Secretary	PS/LPS
Chief Clerk	PS/Mr Hurd
Mr Adams	PS/PUS
News Department	Cabinet Office, Mr Wright

Q1 WAS SIR PETER HAYMAN PROMISED AN IMMUNITY FROM PROSECUTION BY OR ON BEHALF OF THE GOVERNMENT?

PA
(CFFle)
MS

A1 No, no question of such an immunity ever arose under this
or any previous Administration.

Q2 WHY WAS SIR PETER HAYMAN NOT PROSECUTED WHEN OTHERS INVOLVED WITH HIM WERE?

A2 None of those involved with him or in similar offences in 1978
was prosecuted.

OR

The decision on proceedings was taken by the Director of Public Prosecutions, who is responsible to the Attorney General; any questions on that aspect of the matter should be addressed to the Attorney General.

Q3 WHY WAS SIR PETER HAYMAN REFERRED TO BY A CODE NAME OR AS A FORMER CIVIL SERVANT IN THE PROCEEDINGS WHEN OTHERS WERE NAMED?

A3 Because that was the name by which the witnesses knew him.

OR

Any question about the conduct of the proceedings should be addressed to the Attorney General.

17 March 1981

SIR PETER HAYMAN - BACKGROUND NOTEA. The Decisions not to prosecute

1. The facts and the reasons which led to the decision not to prosecute Sir Peter Hayman for an offence under s.11 of the Post Office Act were summarized in paragraph 3 of Sir Robert Armstrong's minute (A03354) of 27 October 1980. It should, however, be noted that Sir Peter was only one of nine possible defendants and the same decision was made in respect of all.

2. Mainly under the pseudonym Henderson he figured on the periphery of the enquiries into the activities of Paedophile Information Exchange. The Director received the reports on these enquiries only after the decision not to prosecute him following the earlier report had been made. As a result of this second report, proceedings were initiated against four persons for the distribution by post of obscene or indecent material. Two of the four were amongst the nine the subject of the first investigation and the other two were members of the executive committee of PIE. The policy followed in reaching these decisions was the same as that previously followed. The factual difference was there was now evidence of commercial gain.

3. O'Carroll and his co-accused at the recent trial were all members of the executive committee of PIE and there was evidence that as such they actively promoted acts which could have amounted to sexual offences against children. Their activity did not on the facts constitute a criminal offence other than, possibly, a conspiracy to corrupt public morals, with which they were subsequently charged and O'Carroll convicted. There was no evidence that Sir Peter Hayman was a party to this conspiracy or a member of the executive committee, although it appeared that he had been a member of

/PIE



PIE for the purpose of making contact with adults with whom he could exchange obscene material. There was no evidence of his having sought to approach any child for sexual purposes or of his seeking to incite others to do so.

4. The first decision not to prosecute Sir Peter Hayman was based on policy and his eight potential co-accused were also not prosecuted under the same policy. He was never seriously under consideration as a potential defendant in the second case. His former position was not a factor taken into consideration in reaching these decisions and no attempt was made to cover up the facts to save either him or the Government embarrassment.

5. There was no policy that Sir Peter Hayman's name should not be mentioned in the PIE proceedings or, if mentioned, only under his assumed pseudonym. His name cropped up at the committal proceedings and he was then referred to by the name under which the witness under examination knew him. This is normal practice. He was not called as a witness and it is understood that he was not referred to by the Crown at the Crown Court. The Defence made reference only to a "senior civil servant".

6. The report in Private Eye 497, 2 January 1981, that the Attorney General had asked to see Sir Peter Hayman's diaries is untrue. It is understood that they were recovered from the Police by the Director for the undisclosed purpose of being made available to the Security Services. The Attorney did ask to see again the papers relating to the case against O'Carroll at the time that he was asked to consider the acceptance of pleas to lesser offences. The request for him to do this came through the Director's office but did not originate there.

7. It is the policy of the Law Officers that persons who have been investigated by the police but not prosecuted

/should



should not be named ~~in the House~~, as to do so is to cast an unnecessary slur on the person without his having the opportunity to clear his name before a court.

8. Line to take

There has been no cover up. Singling out for naming in the House one person is unnecessary and unjust. It can serve no useful purpose.

B. The Security aspect

9. This is the subject of a note from another source. The Attorney General has not received any evidence to suggest that Sir Peter Hayman may have been involved in any security offence.

Cf.

LAW OFFICERS' DEPARTMENT

17 March 1981