



13/10

Rose Murray

Yes but

PRIME MINISTER

It must be agreed by Norman Falbit specifically no to colleagues?

Agree to this approach, subject to colleagues?

Dr 3/11/42

RELEASE OF DOCUMENTS TO SELECT COMMITTEES

1. You will remember that on July 19th Cabinet discussed the request that the House of Commons Select Committee on Trade and Industry had made to British Shipbuilders to provide them with copies of the British Shipbuilders Corporate Plan and other related material. The Select Committee had said that if necessary the authority of the House of Commons would be sought to provide the documents in question. After discussions between myself, the Chief Whip and the Secretary of State for Trade and Industry, it was decided that a major disagreement between the Government and the Select Committee had to be avoided and that the Chairman of British Shipbuilders was authorised to provide the documents in question to the Committee. As a result of this the Cabinet invited me to review the rules and conventions governing the production of documents of Government Departments and their associated Public Bodies to Departmental Select Committees.

2. I set out my proposals in my letter to the Home Secretary of 1 August. In that letter I proposed first that we might seek to establish through the Liaison Committee an understanding

with Select Committees that "policy" documents held by Nationalised Industries and other associated Public Bodies should be on a common footing with those held by Government Departments as regards disclosure to Departmental Select Committees. Such an understanding would be despite the differences in the formal procedural powers of Select Committees in the two instances.

3. Colleagues are generally agreed that it would not be appropriate to change the procedures for all "policy" documents. But their general view, which I support, is that working documents of Nationalised Industries or Other Public Bodies, which constitute "advice to Ministers", should be treated in the same way as those of Government Departments in this category ie the agreement of the appropriate Minister would be required for disclosure. On the other hand Select Committees should not be able to demand any Departmental documents from Nationalised Industries to which they had been denied access by the Department itself.

4. Secondly I asked whether we should try and made more precise the definition of "internal working documents", particularly those termed as "advice to Ministers". The general consensus here is in favour of no change.

5. Next steps. With your agreement I now propose to consult with Mr Terence Higgins, the Chairman of the Liaison Committee, on the best way of taking this matter forward with the Liaison Committee. Both the Chancellor of the Exchequer and the Secretary of State for Trade and Industry regard prior consultation with the Nationalised Industries Chairmen as being desirable. I appreciate the importance of this and I will take Mr Higgins' mind on this point too, and report again to colleagues.

5. I am copying this minute to Cabinet colleagues, the Paymaster General, the Deputy Chief Whip and to Sir Robert Armstrong.

W J B

W J B

Not Incl. Shipbuilding Party A 7



30 OCT 1984



file ECU

bc: DTI

10 DOWNING STREET

From the Private Secretary

1 November 1984

RELEASE OF DOCUMENTS TO SELECT
COMMITTEES

The Prime Minister has seen the Lord Privy Seal's minute on the release of documents to Select Committees. Subject to the views of colleagues she agrees with the line proposed by Mr Biffen.

(Tim Flesher)

Charles Marshall, Esq.,
Lord Privy Seal's Office.

RJ



DEPARTMENT OF TRADE AND INDUSTRY
 1-19 VICTORIA STREET
 LONDON SW1H 0ET
 TELEPHONE DIRECT LINE 01-215 5422
 SWITCHBOARD 01-215 7877

JF7348

Secretary of State for Trade and Industry

CONFIDENTIAL

Charles Marshall Esq
 Lord Privy Seal's Office
 68 Whitehall
 LONDON
 SW1A 2AT

Dear Charles,

15 November 1984

- 1, Mr. Tebbets
- 2, Pire Murte

Mr Tebbets

*reluctant agreement
 to the Lord Privy Seal's
 proposals*

RELEASE OF DOCUMENTS TO SELECT COMMITTEES

The Secretary of State has now had an opportunity to consider the correspondence initiated by the Lord Privy Seal's minute to the Prime Minister of 31 October. He has commented that he reluctantly agrees with the Lord Privy Seal's proposals as set out in that minute, but considers it dangerous and to conflict with good managerial practice for Select Committees to be free to go on fishing expeditions looking for papers within nationalized industries whose disclosure would be damaging to the nationalized industries or to Government. However, given the present position that has been reached, he believes that the Lord Privy Seal's proposals are the best which the Government could hope to achieve. The Secretary of State also agrees that it is probably best not to try to agree a definition of "policy papers" for fear of worsening an already unsatisfactory situation.

15/11/84

2 There are two further points I have been asked to make. First, it would be desirable if the proposals on "advice to Ministers" also caught documents which had not been sent to the Department concerned, but were prepared by the nationalized industry with a view to seeking a Ministerial decision. Companies where the Government is the major shareholder (such as BL and Rolls Royce) should also have the same level of protection as the nationalized industries would have under the Lord Privy Seal's proposals.

3 I am copying this letter to the Private Secretaries of Cabinet Members and of the Paymaster General, to Murdo Maclean and to Richard Hatfield.

Yours ever,

Ruth

RUTH THOMPSON
 Private Secretary