



10 DOWNING STREET

From the Principal Private Secretary

Mr. Stark

PRESENTATION OF GOVERNMENT ACTIONS

Thank you for your minute of 16 December in which you seek approval for you to write to Private Secretaries about the improvement in the presentation of Government decisions.

I have shown these papers to the Prime Minister, and she has agreed that you should write as you suggest in your draft.

NLW

18 December, 1985.

One Minute

Agree RTA should write us the draft below?

Ref. A085/3263

MR WICKS

(This has been a long time gestating in the Cabinet Office following your drive in the

Presentation of Government Actions

Autumn to improve the

My minute of 28 November promised that I would shortly submit a draft letter from this office, cleared as appropriate, together with advice on any supporting action which might be taken by your office.

Presentation of Govt. policies.
N.C.W.

2. I now enclose such a draft. It draws heavily on the advice of Mr Ingham, especially in respect of the checklist which it would enclose.

BI is content with the paper.

3. As drafted, the letter is self-contained and would not require the two-stage approach (a letter from me followed up by one from you) suggested in my minute of 28 November. Sir Robert Armstrong would be content for such a letter to issue from this office: but if you thought it more appropriate it could issue from you.

Probably best from RTA.

MS

[Handwritten mark]

M C STARK

16 December 1985

RTA's Pte Sec.

DRAFT LETTER FROM M C STARK TO MISS JOAN
MACNAUGHTON, PS TO LORD PRESIDENT OF THE
COUNCIL

Presentation of Government Actions

The Prime Minister has been considering how Departments, and subsequently Cabinet and Cabinet Committees, might improve the presentation of Government decisions and measures and the handling of various stages of consultation in the evolution of policy - eg discussion papers, consultative documents, and Green Papers.

She would like Ministers and their Departments to make sure that the presentational implications of the Government's actions, and the plan of campaign for putting them across to a wider public, are considered at the same time that policy decisions are being formulated in Departments, and again at the stage of collective Ministerial discussion. For this purpose it is important that the Departmental Head of Information should be involved at the earliest opportunity.

Some Cabinet and Cabinet Committee papers include a statement or outline of the presentation intended to accompany a proposed Government announcement, initiative or measure. When this is not done - and indeed even when it is - the Prime Minister would like it to be established as a general rule that Ministers should come to Cabinet and Cabinet Committees prepared to deal with the presentational aspects of their proposals in a considered way when they introduce the discussion of their papers.

The Prime Minister has asked that in clearing departmental papers for circulation, as well as in the preparation of their briefs for chairmen of committees, the Cabinet Office should pay particular attention to these requirements.

The purpose of this is to ensure that, in the preparation of Government actions and initiatives, their potential sensitivity is anticipated and handled effectively on a

continuing basis. A checklist of possible elements in a presentation programme is --- enclosed.

Whenever a substantial presentational effort is contemplated, the Departmental Head of Information will consult the COI who, as a central source of advice, will be able to assist not only on the mechanics of publicity but also on the propriety of using certain media and on the conventions governing the use of public funds for central government publicity. On the last point the Cabinet Office memorandum of 25 April 1985, submitted --- to the Widdicombe Inquiry (copy enclosed) is a useful summary.

I am sending copies of this letter and enclosures to the Private Secretaries to members of the Cabinet, the Minister of State, Privy Council Office, and the Minister for Overseas Development.

PRESENTATION OF GOVERNMENT ACTION: CHECKLIST

1. Departmental Head of Information consulted at earliest possible stage of policy formulation.
2. Decide on form of announcement, eg Written Answer, Parliamentary Statement, Press Notice.
3. Decide on timing of announcement (bearing in mind timing of Parliamentary Answer).
4. Consider whether paid publicity necessary:
 - a. Advertising campaign
 - b. Film/video
 - c. Booklet or leaflet
 - d. Direct mail shot
 - e. Exhibition

NB: These require early planning and some paid media, eg advertising, may be inappropriate. Consult COI at early stage.

5. Public consultation/meetings
6. Press launch (tied to Parliamentary announcement):
 - a. Press release
 - b. Press conference
 - c. Special briefings for leader-writers, specialist journalists and Lobby

- d. Ministerial and TV/radio interviews
 - e. Local TV/radio and newspapers
 - f. Media facility, eg digging first turf for Channel link
9. Briefing note for Ministerial colleagues.

Follow-up

10. Well-publicised speeches and visits by Ministers around country.
11. Ministers lunching editors, eg groups of local editors when decisions affect particular locality.
12. Continous briefing of specialist journalists to ensure continued understanding of action.
13. TV and radio documentaries.
14. Ministerial appearances on broadcast discussion programmes eg "Any Questions?" and "Question Time".
15. There may sometimes be a case for signed Ministerial articles in national, local or specialist press, but these should be used sparingly and subject to the considerations and arrangements described in Questions of Procedure for Ministers (C(P)(83) 5, paragraphs 119-121).

CENTRAL GOVERNMENT CONVENTIONS ON PUBLICITY AND
ADVERTISING

Note by the Cabinet Office

This note sets out the conventions which successive governments have applied to their publicity and advertising. There have been changes over the years in the type and quantity of what may be broadly described as publicity. Methods of communication change or develop, and Governments have increasingly put out more information about their policies and activities. But the basic conventions have remained. They are in general terms, but have in practice provided a satisfactory basis for the exercise of judgment in individual cases.

THE MAIN CONVENTIONS

2. It is right and proper for Governments to use public funds for publicity and advertising to

explain their policies and to inform the public of the Government services available to them and of their rights and liabilities. Public funds may not, however, be used to finance publicity for party political purposes; this rule governs not only decisions about what is or is not to be published but also to content, style and distribution of what is published. This basic rule covering all Government publicity and advertising has been accepted under successive Administrations.

3. The conventions apply to both "paid" and "unpaid" publicity. "Paid" publicity includes paid advertising in the press, on radio and on television, leaflet campaigns, exhibitions etc. "Unpaid" publicity includes papers presented to Parliament as White and Green Papers and other consultation documents (which are sold to the public at prices intended to defray the costs of printing, publication and distribution), press notices and other official briefing material (all of which may nevertheless involve some cost to public funds in Civil Service costs).

4. The conventions are:

- i. subject matter should be relevant to Government responsibilities. The specific matters dealt with should be ones in which Government has direct and substantial responsibilities;
- ii. content, tone and presentation should not be "party political". The treatment should be as objective as possible, should not be personalised, should avoid political slogans and should not directly attack (though it may implicitly respond to) the policies and opinions of opposition parties or groups;
- iii. distribution of unsolicited material should be carefully controlled. As a general rule, publicity touching on politically controversial issues should not reach members of the public unsolicited, except where the information clearly and directly affects their interests. The level of intrusion is highest for television, newspapers and poster advertising and material delivered to people's

homes, and lowest for material available only on request. The general rule is that leaflets etc may be issued:

a. in response to individual requests, or enclosed with replies to related correspondence;

b. to organisations or those with a known interest or, with the organisation's agreement, in bulk for distribution at their own expense to their membership only.

iv. costs should be justifiable. The Government are accountable to Parliament for the use they make of public funds for publicity, as for any other purpose. The Accounting Officer for the Vote concerned has a particular responsibility to the Public Accounts Committee.

DETAILED APPLICATION

5. The following paragraphs set out how these conventions are applied to the main kinds of

Government publicity. Some specific examples of publicity in potentially politically controversial areas are given at Annex A.

NEW POLICY PROPOSALS

6. The main forum for the presentation and discussion of Government policies is Parliament. Major policy proposals are usually presented to Parliament as Command Papers which are sold to the public at a price designed to cover the costs of printing and distribution. Thus the cost to public funds usually consists only of the costs of preparing the text. Other proposals on which comments are invited may be set out in less formal documents in printed or typescript form. These are sometimes priced and sometimes provided free of charge. They are deposited in the Libraries of the House of Lords and the House of Commons at the time of publication and may be sent unsolicited to those with a known interest (not as a rule to the general public, although copies may be provided on request). The public will also get information

free of charge through the official information machinery (Departmental Press Offices and the Central Office of Information) by means of press notices or other briefing.

7. Command Papers, consultative documents, official press notices and briefing material may well cover matters which are the subject of party political controversy. Such material will set out what the Government is doing and what they want to achieve. But content, tone and presentation follow the conventions set out in paragraph 4. The emphasis is on exposition and the arguments.

8. Public funds have been used in recent years to supplement this kind of "unpaid" publicity in two ways:

i. Popular versions of Command Papers.

These are simplified versions of White Papers etc which are supplied free of charge and intended to reach and answer the questions of those who are unlikely to buy or read the on-sale document. Examples are Britain's

application to join the EC (1971), devolution (1976), counter-inflation (1975), buses (1984).

ii. Leaflets dealing with typical questions.

These are handed out in place of, or enclosed with, replies to letters from MPs or the public and may be given wider distribution if appropriate and cover the main questions which may be raised about a particular policy proposal. Examples are leaflets explaining and answering points on the Government's proposals on live animal experiments (1983-84), the privatisation of British Telecom (1983) and on the abolition of the GLC and the Metropolitan County Councils (1985).

9. Both kinds of publicity may be criticised, and presentation and handling are therefore looked at particularly carefully. They are usually written in a more popular style than the traditional Government papers which they supplement. But, like them, they follow the conventions on content and presentation. The emphasis is on facts and explanation rather than on the political merits of the proposals. And titles are carefully chosen to

be as neutral as possible. For example the recent leaflets on abolition of certain local authorities are simply headed 'After the GLC' and 'After the Metropolitan County Councils'.

10. The justification for such publicity is that it enables the Government to explain its policies and the reasons for them to the general public in a cost-effective way, in circumstances where the traditional means of exposition - statements in Parliament and press notices - may not be sufficient for the purpose. There should be a reasonable relation between the cost of the publication and the likely cost of public funds in terms of enquiries from the public etc if it were not produced. The extra cost of printing the material (as distinct from simply photocopying it) must also be justifiable.

EXPLANATION AND DISCUSSION OF EXISTING POLICIES

11. The same general conventions apply to publicity for existing policies. Paid publicity may be used where the Government believes that a direct approach to the public is needed to give more information about particular issues and

policies or to clear up misconceptions. Examples include advertising campaigns on counter-inflation policies (1975), and leaflets and films on defence and disarmament issues (since 1979) and a variety of departmental reports.

12. In such cases subject matter, presentation and handling are again critical, particularly when publicity deals with issues on which there is no consensus. The presentation of arguments and counter-arguments takes account of the need to avoid criticism that public funds are being used to disseminate party political propaganda. The emphasis is on the factual basis and exposition of Government policies rather than on partisan argument.

INFORMATION ABOUT RIGHTS, OBLIGATIONS, LIABILITIES
AND GOVERNMENT SERVICES

13. This kind of publicity covers a wide range. It may follow legislation which has given the public new entitlements or obligations. It may remind the public of entitlements which the Government would like to see taken up more widely. Or it may be used to encourage the public to adopt

certain kinds of social behaviour. It has been accepted under successive Administrations that the Government has a clear duty to inform the public in this way. There is no question about the public's need to be informed of their legal entitlements and obligations, and the services available to them. The Government also has a clear right to use publicity to encourage behaviour which is generally regarded as being in the public interest (eg road safety advertising). Most publicity of this kind consists of leaflets, posters and newspaper advertisements. Some of these simply provide factual information and practical advice but others need to be more persuasive in content and presentation. Similar publicity is used to explain changes in the law which affect individuals or businesses, or the work of their professional advisers, Citizens' Advice Bureaux etc.

14. There may be some sensitivity where the matters publicised are the product of controversial legislation or potentially controversial policies. Examples include "Fair Rents" (1972-73), "Right to Buy" council houses (1980-82), "Right to Buy" (1984), "Right to Buy" in Scotland (1984), and the "Switch Off Something" campaign in 1974. Care has

been taken in the "Fair Rents" and "Right to Buy" cases to present the information in a way that concentrates on informing the public about the content of legislation and how it affects them. Material of this kind is justified in principle by the need of members of the public to be informed of what entitlements are available to them under legislation. In the second case, the "Switch Off Something" campaign was generally accepted as necessary because it bore directly on maintaining the life of the community in a national emergency. Its continuation during the February 1974 Election campaign was specifically agreed with the Opposition Chief Whip.

RECRUITMENT

15. Paid publicity is used extensively by the Government to recruit people in various public services. This is generally non-controversial, but the cost must still be justified.

LEGAL POSITION

16. Departments of central Government, unlike local authorities, do not rely on any specific

statutory authority to spend money on advertising and publicity. Their use of publicity is covered by the principle that the Crown - and Ministers of the Crown as its agents - can do anything an ordinary person can do provided that there is no statute to the contrary and Parliament has voted the money. The safeguard is of course the Government's accountability to Parliament for all that they do and spend.

CRITICISM OF GOVERNMENT PUBLICITY

17. Government practice on the basis of the convention has occasionally been criticised in Parliament and in the press, but seems to have been subject to only rare formal challenge in recent years. Three instances are:

- a. In August 1971 an injunction was sought in the High Court against the distribution of a shortened White Paper on Britain's application to join the EC. The injunction was not granted, and Mr Justice Griffiths (Jenkins v Attorney General and another, 1971; 115 Solicitors Journal, Part II p 674) "could not accept the submission that the prerogative

power of the Crown to issue free information was limited ... to information about Government executive action pursuant to law and excluded the power to inform the public of Government proposals ...".

b. In 1973 the IBA objected to the term "fair rents" in the Government's advertising following the Housing Finance Act 1972 (even though it had been used in the legislation, and the wording had to be changed.

c. In 1982 advertisements in the press of current pay offers to the NHS, though entirely factual, were ruled by the Advertising Standards Authority to be political and therefore outside the scope of its code.

Cabinet Office

25 April 1985

EXAMPLES

I POLICY PROPOSALS

1. Britain's application to join the European Community (1971)
Leaflets, posters, shortened version of White Paper.
2. Devolution (1976)
Popular version of 1975 White Paper published as booklet.
Available free at Post Offices in Scotland and Wales.
3. Police and Criminal Evidence Bill (1983/4)
Booklet on Government proposals, giving replies to main criticisms. Supplied free of charge on request and distributed to various interested groups. Copies enclosed with replies to letters from MPs and public about the bill.
4. Bus Policy (1984)
Leaflet summarising White Paper and answering main questions about the policy. Supplied free of charge on request and sent to various interested groups. Copies enclosed with replies to letters from MPs and public about the bill. No bulk distribution, but extra copies available to MPs.
5. Privatisation of British Telecom (1983)
Pamphlet explaining Government's aims and proposals in recently introduced Bill. Produced to deal with questions most commonly raised. Issued to organisations which had expressed interest in the Bill and in reply to MPs and public correspondence.

6. Abolition of Greater London Council and Metropolitan County Councils (1985)

Two pamphlets explaining Government's proposals in Local Government Bill produced after Second Reading in response to requests for information about the proposed arrangements. Sent to all MPs, the press, and the relevant local authority associations. Enclosed with replies to letters about the Bill, and supplied free of charge on request.

II. EXPLANATION AND DISCUSSION OF EXISTING POLICIES

7. Counter-inflation campaign (1975)

Pamphlet (based on earlier White Paper) distributed to all households. Other briefing material supplied on request. Newspaper advertising beforehand.

8. Environmental protection (1984)

Booklet for London Economic Summit on achievements and environmental fields.

9. Defence Policy Generally, Nuclear Defence, Arms Control and Disarmament (Continuing)

Several information booklets, pamphlets and films. Available free of charge on request. Some distributions by non-government agencies on basis that there should be no unsolicited distribution.

10. NHS Pay Offers (1982)

Advertisements in nursing journals (offer to nurses) and national press (offers to all NHS groups).

NB: Advertising Standards Authority ruled that the advertisements were political and therefore not within scope of its Code.

11. Control of Experiments on Living Animals (1983/84)
Leaflets distributed on request and in reply to correspondence. Set out policies developed by successive Governments and answered points about the 1984 White Paper proposals.
12. Civil Defence (1974, 1980/83)
Priced and free publications. Free publications distributed on request and also to local authorities for issue by them on same basis.
- III. INFORMATION ABOUT RIGHTS, LIABILITIES, GOVERNMENT SERVICES ETC
13. Switch-off Something Campaign (1974)
Advertising on TV, press and radio to persuade domestic users to save electricity during the miners' dispute.
14. Fair Rents Campaign (1972/3)
Leaflets and booklets for private sector tenants explaining Housing Finance Act 1972.
TV and press publicity for both private and public sector tenants.
15. Right to Buy (1980/2)
Booklet explaining council tenants' new rights under the Housing Act 1980. Supplied free of charge on request. Some ordered by Conservative Central Office for distribution door to door.
16. Right to Buy (1984)
Explaining extension of rights under the Housing and Building Control Act 1984.
Booklet and letter from the Minister distributed to most council tenants by a commercial organisation.
TV and newspaper advertisements.

17. Rates Act (1984)

Explanatory leaflet about the purpose of rate limitation and how it would work, in question and answer format, delivered to 5 million households in the areas subject to rate limitation in 1985/86 under the Rates Act.

Advertisements placed in national and local newspapers.





10 DOWNING STREET

cc Mr Ingham ⁷ B/F
The between.

Content to proceed
as in the minute below? ⁷

N.L.W

29. Nov

Told her fine
NW
3-12

Ref. A085/3088

MR WICKS

Presentation of Government Policies

We have spoken on various occasions about ways to meet the Prime Minister's requests outlined in your minute of 25 September to Sir Robert Armstrong. This minute is by way of an interim response, to explain the advice which we are likely to be submitting and the consultations which we have already carried out.

2. As you know, following discussions with the Prime Minister and the Chancellor of the Duchy of Lancaster, the Lord President wrote on 2 October to the Lord Chancellor about ways to improve further the presentation of the Government's policies. You suggested that we might take account of this exercise in preparing advice in response to your own minute. Following discussion with the Lord President's office and the Policy Unit (Mr Letwyn) it is clear to me that the proposals in that letter are intended to deal mainly with the issue of forward presentation of ideas which might become Government policy (for example ideas which might form the basis of the next Manifesto). As the Lord President put it, the issue there was to set the agenda of the political debate on grounds of the Government's choosing, and to conduct it largely in the Government's terms.

3. The issues addressed in your minute of 25 September might be redefined as presentation of Government actions, in the widest sense (including both the announcement of actual decisions, and the handling of the various stages of consultation - Green Papers etc). After discussion with the Policy Unit I have prepared a draft letter to the Private Secretaries to Cabinet Ministers, somewhat on the lines of my letter of 18 November to the same addressees on Policy Work and the FMI. The letter would enjoin

Departments to ensure that as a matter of routine, Departments should consider along with proposals for Government actions in this wider sense a note of the presentation which would accompany it. The letter would enclose a checklist of the various kinds of presentation which might be contemplated: eg publication of glossy brochure for public consumption; television or radio broadcasts by Ministers; arrangements for officials to explain detailed workings of proposals to wider audiences; etc. The checklist and letter would of course have been cleared with Mr Ingham.

4. If proposals on these lines are agreed and a letter from this office issues, it may be appropriate for you to write in support, rather as I have suggested you might do in the case of the FMI Policy Work letter referred to above. In such a circular letter you might inform Ministers of the Prime Minister's request that they should as a general rule deal in the oral introduction to their papers for Cabinet and Cabinet Committees with presentational aspects.

W 5. I hope to be in a position to submit detailed proposals on these lines to you very shortly.

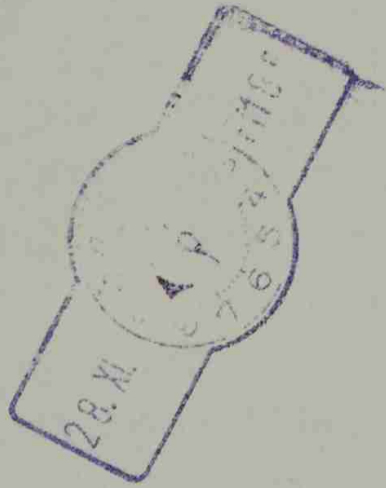
Robert Stark

for M C STARK

(dictated by Michael Stark
& signed in his absence)

28 November 1985

Strategy: Eson Pol 426.





10 DOWNING STREET

*From the Principal Private Secretary*SIR ROBERT ARMSTRONG**Presentation of Government Policies**

The Prime Minister has been considering how Cabinet and Cabinet Committees might help improve the presentation of Government decisions and policies. She would not want Ministers to be asked to include in their papers for Cabinet and Cabinet Committees a passage on presentational aspects. Such passages could touch on rather sensitive ground and, if they leaked might make presentation harder, though of course, a Minister can decide to include such a passage if he thought it appropriate. Instead, the Prime Minister would like Ministers to deal in the oral introduction to their papers with presentational aspects of their proposals. Ministers, in many cases, already do this, but the Prime Minister would like this to become the general rule.

I should be glad for advice on how the Prime Minister's wish could be conveyed to Ministers. One possibility might be for your Private Secretary to communicate the point to the Private Secretaries of Cabinet Ministers.

The Prime Minister would also like Cabinet Office briefs for Cabinet and Cabinet Committees to remind the Chairman of the meeting, whether herself or another Minister, to ensure that the meeting considers presentation aspects where they are relevant. Again this is often done, but it should become the normal practice.

25 September 1985