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Cabinet Office,
67 Whitehall,
London SW1

10 May 1983

PS(83) 6

Dear Private Secretary,

General Election: Replies to Enquiries

As you will have seen from C(P)(83)1 the Prime Minister has appointed an Election Business Committee for the duration of the Election campaign. The enclosed note gives guidance on the submission of matters to the Committee and on the way Departments should deal with enquiries and requests for information during the campaign. It also provides guidance on the handling of constituency correspondence.

Material which the Secretariat of the Election Business Committee need to clear with Departments, usually in the form of draft statements or answers to questions, will be sent to Departments by fastest means, as the aim will be to reply to all enquiries on the day they are received if at all possible. The detailed arrangements set out below are designed to achieve this; but the Secretariat will be glad to discuss any points of difficulty which Departments may foresee.

- a. Material on which comments are required will be delivered by hand from the Cabinet Office to departmental mail rooms. The envelopes will be boldly marked "EBC - IMMEDIATE". We should be grateful if you would ensure that they are delivered to your Private Office without delay.
- b. If your Minister wishes to suggest amendments to the draft, would you please let the Secretariat have two copies on plain (unheaded) paper. Replies are needed within 24 hours at most, and on the same day whenever possible. You may think it desirable to make special arrangements for delivering material to the Cabinet Office. Again, the envelopes should be clearly marked "EBC - IMMEDIATE", and delivered to the Boxing Lobby (Downing Street entrance).
- c. Similar arrangements and markings should be used for sending us any material which reaches you direct from Conservative candidates (see paragraph 4b of the enclosed note). It will clearly save time and effort if the advice on a reply is sent with it. But if this is likely to involve much delay, it would be helpful if the Secretariat could be warned.

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d. You will note that it is not necessary to carry out this procedure in respect of factual information, as defined in paragraph 3 of the note.

The Secretariat (Mr D H J Hilary, Mr R Watson and Miss J A Lewis-Jones) will operate from Room 208 in the Cabinet Office - telephone numbers 233 7665/7272 and Federal 3006. If those numbers are engaged please try first 233 7251 or 8276, or Federal 2359; and then 233 8595 or 7226, or Federal 2199.

I am sending copies of this letter to Private Secretaries to members of the Cabinet, the Law Officers and the Chief Whip. I should be grateful if recipients would ensure that this guidance is made available as appropriate to the Private Secretaries of other Ministers in their Departments.

Yours sincerely,

Signed R P HATFIELD

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GENERAL ELECTION: REPLIES TO ENQUIRIES

GENERAL

1. At a General Election the Government of the day is expected to vindicate its policies to the electorate, and by convention the Government Party is entitled to ensure that statements made on its behalf are factually correct and consistent with Government policy. The provision of rapid advice to Government candidates is made through the medium of an Election Business Committee of the Cabinet. Government Departments, however, must not appear to engage in Party politics or be used for Party ends; and should provide consistent factual information on request to candidates of different Parties, organisations and members of the public. It is desirable that Departments should, so far as possible, follow a common procedure in replying to enquiries and requests for information; and the Election Business Committee supervises these aspects also.

2. The circumstances of an Election demand the greatest speed in dealing with enquiries; in particular, the aim should be to answer those for Parliamentary candidates within the day.

FACTUAL INFORMATION

3. a. Departments should provide any Parliamentary candidate, organisation or member of the public with purely factual information which -
- i. Is not classified.
 - ii. Does not require disproportionate time or effort to produce (cf the guidelines for answering Parliamentary Questions).
- b. Local and Regional Offices should deal similarly with straightforward enquiries to them, referring doubtful cases to Headquarters for decision.

REGESTS FOR COMMENT OR GUIDANCE

4. a. From Conservative Party Headquarters. Conservative candidates and their agents are expected to look to the Conservative Research Department, who will collate requests and prepare draft replies. In appropriate cases

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the drafts will be forwarded to the Secretary of the Election Business Committee, who will obtain the comments of the Ministers concerned, and will if necessary submit final drafts of replies for the Committee's approval. The Party Headquarters will be responsible for passing on the necessary guidance to candidates.

b. From Conservative candidates or their agents direct to Departments. These should be referred, through the Private Office of the responsible Minister, to the Secretary of the Election Business Committee. They should be accompanied by the Minister's advice on whether they should be considered by the Committee, and on the terms of a reply.

c. From candidates of other Parties, from organisations and from members of the public. These should be answered by the responsible Minister or his Private Secretary and the correspondence should be copied to the Secretary of the Election Business Committee if it is of general interest. The draft reply may be cleared with the Election Business Committee before it is sent if the Minister considers it desirable, in which case a copy of the eventual reply should be sent to the Secretary of the Committee.

POLICY STATEMENTS ETC

5. The Secretary of the Election Business Committee should be informed in advance of any important statement which your Minister makes in the course of the campaign; and two copies of any Press release or similar document should be sent.

6. If a Minister wishes to suggest a topic on which guidance should be given to Conservative candidates, the suggestion should be sent to the Party Headquarters, who will prepare first drafts and forward them to the Secretary of the Election Business Committee.

CONSTITUENCY CORRESPONDENCE

7. During the Election period replies to constituency letters received from Members of Parliament before the Dissolution, or to similar letters from Parliamentary candidates, should take into account that they may become public

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knowledge and the subject of political comment. While it is impossible to cover every contingency or lay down hard and fast rules the following observations may be of help.

a. Once Parliament is dissolved, a Member of Parliament's constitutional right to represent his constituent's grievances to Government disappears also, and all candidates for an election are strictly speaking on an equal footing. But this doctrine should be applied in a reasonable way. In general, Ministers ought to reply to constituency letters written by MPs before the Dissolution, and in many cases it will be courteous for them to reply to letters written after the Dissolution by former Members. But they will not want to give any appearance of discrimination on constituency correspondence as between letters from Conservative and other candidates, and it will normally be appropriate to send a Private Secretary reply to letters from candidates who were not Members before the Dissolution.

b. Clearly the main consideration must be to ensure that the citizen's interests are not prejudiced: but Departments should also bear in mind -

i. There may be indications that some personal case is likely to be politically controversial - eg two candidates may write in about it, or there may be local publicity. There is little one can do except keep a wary eye for trouble and ensure so far as possible that letters are simple, straightforward and give no room for misrepresentation.

ii. Privilege covering correspondence between Ministers and MPs lapses on the Dissolution. Care should be taken in dealing with cases about individuals that letters to former MPs do not contain remarks that could be represented as defamatory.

c. Letters from former MPs or other candidates asking for comment on matters of policy raised by their constituents should be handled in accordance with paragraph 4 above.