

Ref. A0878

PRIME MINISTER

You will have seen in this morning's Guardian a report quoting extensively from the minutes of a meeting of a Cabinet Committee on the civil nuclear power programme, and in particular on the proposal to go for the PWR.

2. There is a similar article in this week's "Time Out", referring to the same minutes. The article says that the minutes of the meeting have been sent anonymously to "Time Out", and there is a photograph of part of the front page of the minutes to prove it, as well as photographs of short extracts from the minutes themselves.

3. I have considered this serious leak with Sir Ian Bancroft, Sir Jack Rampton, Sir Brian Cubbon and Mr. Beckett, the Legal Secretary to the Law Officers.

4. There are four courses available to us:-

- (1) To do nothing.
- (2) To mount the standard interdepartmental leak inquiry.
- (3) To mount a special investigation by a civil servant or somebody from the Security Service.
- (4) To call in the police.

5. To call in the police is a serious step to take. It was last done in 1976, when a paper about Child Benefit was leaked to the Child Poverty Action Group (Mr. Frank Field). It is appropriate only if there is prima facie evidence that a criminal offence may have been committed. But we all think that this leak is so blatant that a police investigation would be the right way to deal with it.

6. There has almost certainly been a breach of Section 2 of the Official Secrets Act 1911. In recent years, however, it has been the practice of successive Attorneys General not to prosecute under Section 2 for leaks of information which would not have been caught under the Franks definitions. This particular leak would not have been caught by Franks, and indeed would not have been covered by the abortive Protection of Information Bill. It is therefore unlikely that the Attorney General would wish to prosecute under Section 2 in this case. But an offence under Section 2 is not the only possible offence in this case.

6,
Prime Minister.
I understand that there is a letter from the Attorney-General on its way saying that he agrees with the proposal that there should be a police investigation.
Do you agree too?
Are you also content that the inquiry should embrace Ministers?

JMB
6/11



Don't feel - hasn't it just been opened?

It is entirely possible that a document, the property of the Government, has been improperly removed, and that the offence of theft has been committed. The decision to bring the police in is just as much related to that as to the possibility of an offence under the Official Secrets Act.

7. The decision to bring the police in does not imply a decision to prosecute. That decision will have to be taken by the Attorney General and the Director of Public Prosecutions when the investigation is completed. If the culprit was identified, disciplinary proceedings could follow, even if there was no decision to prosecute.

8. This is being separately put to the Attorney General. I should be grateful for your authority to tell the Attorney General that, subject to his views, you agree that this leak should be the subject of police investigation. If that is the decision, it will be for the Director of Public Prosecutions to commission the investigation.

9. As it appears that the document was sent in the first instance to "Time Out", it seems very unlikely that any Minister was responsible for the leak. The minutes were, however, issued to Ministers in the first instance, and I think that technically it would not be right to exclude Ministers from the scope of the inquiry. I therefore seek your agreement that the investigation should extend to Ministers as well as officials.

10. I shall be making a later submission about changes in the style, content and circulation of Cabinet and Cabinet Committee minutes.

RAA

(Robert Armstrong)

6th December, 1979

I don't think it was theft - there are so many casual ways. Am content to leave question of a police enquiry to the AG. OLI.

THE GUARDIAN

London and Manchester

Thursday December 6 1979

15p

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Cabinet backs nuclear power plan

By David Pallister and David Fairhall

A CABINET committee, which is chaired by the Prime Minister, has approved the building of at least one controversial American-style pressurised water nuclear power station "subject" the minutes of the meeting stress, "to satisfactory safety clearances being obtained."

Separate inquiries in Whitehall reveal that Sizewell in Suffolk is now the favoured site for the PWR reactor construction of which would begin in 1982.

The Government is clearly extremely anxious about public reaction to the decision after the United States' PWR accident at Three Mile Island. The minutes record that Mrs Thatcher and her senior colleagues have de-

ecided on "a low profile" approach to their new nuclear programme "because opposition to nuclear power might well provide a focus for protest groups over the next decade."

Construction of the new power station for the Central Electricity Generating Board will be conditionally endorsed in a Government statement—probably next week—by the Energy Secretary, Mr David Howell.

At the Cabinet committee meeting Mr Howell proposed that it should be part of a 15 gigawatt (billion watts) power programme to be handled by a reorganised nuclear construction industry in which the National Nuclear Corporation will be given "an enhanced role."

Apart from Mrs Thatcher

and Mr Howell, other Ministers present at the meeting included the Chancellor, Sir Geoffrey Howe, the Industry Secretary, Sir Keith Joseph, and the Foreign Secretary, Lord Carrington.

The confidential minutes quote Mrs Thatcher summing up the discussion and saying: "They (the committee) recognised the great importance of appropriate presentation for achieving the Government's objective, and generally favoured a low profile approach."

The minutes of the meeting—sent to the London magazine Time Out—show that anxiety about public opposition to a PWR programme in the wake of the reactor accident at Three Mile Island, Pennsylvania, was central to its discussion.

The American reactor was of the same basic pressurised water type, though not designed by Westinghouse, the firm from which the NNC will get its licence.

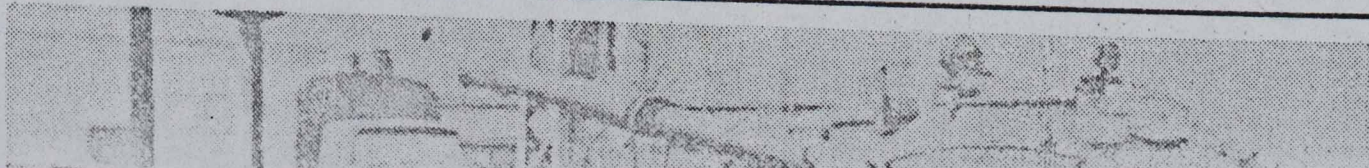
Ministers were anxious to avoid "putting the Government into a position of confrontation with the protesters."

"The existing production of nuclear electricity in Britain using Magnox stations had a long record of safe operation, and local people near the various nuclear sites were generally content with them. It was important to build public confidence from the experience. A low profile by Government was not necessarily incompatible with giving a firm lead to the industry, since the industry involved only a few firms.

"But there would be a problem in maintaining a low profile once a decision was made to proceed with a PWR. Although the Three Mile Island reactor in the USA was not a Westinghouse design, it would be associated in the public mind with the PWR system."

Sizewell, near Aldeburgh in Suffolk, already has a Magnox nuclear power station. It has emerged at the top of the CEB's short list of possible sites for the first PWR because it satisfies most of the safety, operation and economic criteria for a project on which the construction engineers hope to start work in 1982. It is relatively remote from the main centres of population—a point on which the Nuclear

Turn to back page, col. 7



Lynch's successor

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plan which would have
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and firm on a number of
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e about the market

Dublin yesterday. Favourite for... (top left) and Health Minister, (bottom left).

the schools

Greater a week in each of 384 schools— one tenth of those in England and Wales. They did not cover sixth forms and concentrated on the fourth and fifth years. Teachers' unions welcomed the exploding of some educational myths. One was that many pupils were dropping mathematics before 16—the Inspectors found the number to be insignificant. Another was that teachers spent too much time on non-teaching duties — the Inspectors thought they did not have enough time for essential out-of-classroom duties. The survey presented "a frightening picture of subservience to the narrowing requirements of public examinations, which will be made worse still by recent political moves," the Secondary Heads Association commented. The National Union of Teachers found it ironic that the inspectors should be critical of the teachers' emphasis on examinations in view of the apparent clamour from some politicians for just such an emphasis.

"Aspects of Secondary Education in England," Stationery Office, £6.75.

pay dispute."

The men at Esso's 35 terminals have rejected an offer of 18 per cent on basic rates, plus improved conditions and allowances which take the overall offer to more than 20 per cent. A company spokesman said it was understood that the shop stewards were recommending an overtime ban, although no official notification of any action had been received.

It is estimated that the Esso overtime ban could affect a third of the company's supplies. Esso normally supplies a fifth of Britain's total supplies — the same amount as Shell.

Supplies of petrol, diesel, and heating oil are already low in some urban areas.

The worst-hit area so far is Strathclyde, in Scotland, where 80 schools are closed for lack of heating oil and 50 more will close by the weekend. The local authority's regional emergency committee has reduced fuel allocations to all departments by a half, and buses in Strathclyde and Tayside are running in peak hours only.

Bus services in Glasgow will be at a standstill during the week. Services in the city are already restricted to peak hours only, running for 4½ hours a day. In Dundee, a similar, peak period operation has been introduced. Meals on wheels and other services are likely to be affected.

In London the Government's Civil Contingencies Unit is revising plans for the army to distribute fuel from special stockpiles if the shortage becomes severe.

Cabinet backs plan for nuclear power

Continued from page one

Installations Inspectorate is bound to insist, especially in the light of the Kemenv report on the Three Mile Island accident.

The board already owns much of the land required and the power transmission lines are already in place. At Dungeness, another possible site for the first PWR, a new line would have to be laid from the Kent coast to Weybridge.

The CEBG said yesterday that no final decision has yet been taken on the PWR siting, let alone on proceeding to construction.

The Nuclear Installations Inspectorate will have to be satisfied with the detailed design proposals. The Westinghouse licence must be activated (the Cabinet committee noted on October 23 that it might be desirable to defer doing this until the result of the law suit between the American manufacturer and Rio Tinto Zinc was known). Above all, both the basic policy of adopting an American PWR design alongside the British advanced gas cooled reactors (AGRs) and the suitability of a specific site such as Sizewell will have to be subject to a lengthy public inquiry, probably in 1981.

As for the tactics of an in-



quiry, ministers were in two minds: "On the one hand it was arguable that the first such inquiry should be wide-ranging, so as to establish the broad facts of the system. But on the other there was a danger that a broad-ranging inquiry would arouse prolonged technical debate between representatives of different facets of scientific opinion. In considering tactics for inquiries, it would be important to bear in mind that, in parallel with the development of a thermal reactor programme, there was also a programme in hand for identifying sites for the disposal of nuclear waste.

Mild, rain in parts

A RIDGE of high pressure will cross the British Isles whilst a trough of low pressure returns N across S counties.

London, SE England: Mainly dry rather cloudy. Wind S, light. Max temp 12C (54F).

Cent S and SW England, Channel Islands, S Wales: Becoming rather cloudy with occasional rain and drizzle. Wind SE, becoming S, light. Max 12C (54F).

E Anglia, Midlands, E, Cent N and NW England, N Wales: Dry, sunny periods after overnight mist and fog, becoming cloudy later. Wind variable, becoming S, light. Max 9C (48F).

Lake District, Isle of Man, SW Scotland, E Glasgow, Cent Highlands, Argyll, N Ireland: Sunny intervals, scattered showers. Wind W, moderate or fresh. Max 8C (46F).

NE England, Borders, Edinburgh and Dundee, Aberdeen, Moray Firth: Mainly dry, sunny intervals. Wind W, moderate. Max 7C (45F).

NE Scotland, NW Scotland, Orkney, Shetland: Rather cloudy with a little rain in places. Wind W, fresh or strong. Max 7C (45F).

Outlook: Some rain at times in most regions. Bright intervals in some W parts later. Temperatures around normal. Overnight fog patches.

MANCHESTER READINGS
From 6 p.m. Tuesday to 6 a.m. yesterday: Min temp 7C (45F). From 6 a.m. to 6 p.m. yesterday: Max temp 11C (52F). Total period: Rainfall, 1.28in; sunshine, 0.2hr.

THE WEATHER

AROUND THE WORLD

| (Lunch-time reports) | | Reports for the 24 hours ended 6 p.m. yesterday: | |
|----------------------|---------|--|------------------------------|
| C | F | Sun shine hrs | Max. Rain temp (day) in. C F |
| Ajaccio | S 15 59 | Las Palmas | F 23 73 |
| Algeria | R 14 57 | Lisbon | S 10 50 |
| Amsterdam | S 16 61 | Lodarno | S 12 54 |
| Antwerp | S 12 54 | London | S 15 48 |
| Barcelona | F 16 61 | Luxembourg | S 15 48 |
| Berlin | S 13 59 | Madrid | S 12 54 |
| Beirut | F 20 68 | Managua | S 11 52 |
| Bombay | S 13 57 | Malaga | S 15 59 |
| Buenos Aires | F 13 55 | Malta | S 18 64 |
| Cardiff | S 17 63 | Manchester | F 7 45 |
| Casablanca | R 8 46 | Miami | C 21 70 |
| Chicago | F 8 46 | Milan | S 11 52 |
| Copenhagen | Fg 8 46 | Montreal | Sn 1 34 |
| Dublin | R 12 54 | Moscow | C 2 36 |
| Edinburgh | R 8 46 | Munich | F 15 59 |
| Florence | C 13 55 | Nantes | S 18 64 |
| Frankfurt | Fg 1 34 | Newcastle | S 9 48 |
| Hamburg | S 13 55 | New York | S 9 48 |
| Helsinki | R 18 64 | Nice | S 15 59 |
| Hong Kong | R 13 55 | Osaka | F 17 63 |
| London | S 15 48 | Oslo | F 6 43 |
| Lyons | S 13 55 | Paris | S 10 50 |
| Madrid | S 12 54 | Prague | F 11 52 |
| Managua | S 11 52 | Reykjavik | A -2 25 |
| Manila | S 15 59 | Rhodes | S 19 66 |
| Medan | S 18 64 | Rome | S 18 64 |
| Mexico City | S 10 50 | Ronaldsway | F 10 50 |
| Moscow | S 9 48 | Salzburg | S 13 55 |
| Munich | S 15 59 | Stockholm | S 8 46 |
| Nantes | S 18 64 | Strasbourg | S 12 54 |
| Newcastle | S 9 48 | Taipei | R 18 64 |
| New York | S 9 48 | Tel-Aviv | C 3 37 |
| Nice | S 15 59 | Toronto | C 3 37 |
| Osaka | F 17 63 | Tunis | S 16 61 |
| Oslo | F 6 43 | Valencia | C 13 55 |
| Paris | S 10 50 | Venice | S 11 52 |
| Prague | F 11 52 | Vienna | S 6 43 |
| Reykjavik | A -2 25 | Warsaw | C -10 50 |
| Rhodes | S 19 66 | Zurich | S 9 48 |
| Rome | S 18 64 | | |

AROUND BRITAIN

| Region | Sun shine hrs | Max. Rain temp (day) in. C F | Weather |
|------------------------|---------------|------------------------------|---------|
| Scarborough | 1.5 | 32 9 48 | Rain |
| Bridlington | 1.3 | 47 8 46 | Rain |
| Lowestoft | — | 03 15 59 | Rain |
| Thanet | — | 15 59 | Cloudy |
| EAST COAST | | | |
| Folkestone | — | 01 14 57 | Rain |
| Hastings | — | 14 57 | Cloudy |
| Eastbourne | — | 15 59 | Cloudy |
| Brighton | — | 14 57 | Cloudy |
| Littlehampton | — | 14 57 | Cloudy |
| Bognor | — | 14 57 | Cloudy |
| Southsea | — | 01 15 59 | Rain |
| Shanklin | 0.2 | 14 57 | Cloudy |
| Bournemouth | — | 15 59 | Dull |
| Poole | — | 16 61 | Cloudy |
| Weymouth | — | 15 59 | Dull |
| Exmouth | — | 01 15 59 | Rain |
| Teignmouth | — | 15 59 | Cloudy |
| SOUTH COAST | | | |
| Belfast | 4 30 | p.m. to 8 00 a.m. | |
| Birmingham | 4 25 | p.m. to 7 32 a.m. | |
| Bristol | 4 33 | p.m. to 7 30 a.m. | |
| Glasgow | 4 16 | p.m. to 8 00 a.m. | |
| London | 4 22 | p.m. to 7 20 a.m. | |
| Manchester | 4 22 | p.m. to 7 39 a.m. | |
| Newcastle | 4 10 | p.m. to 7 44 a.m. | |
| Nottingham | 4 21 | p.m. to 7 31 a.m. | |
| HIGH-TIDE TABLE | | | |
| London Bridge | 3 11 a.m. | 3 29 p.m. | |
| Dover | 12 04 a.m. | 12 18 p.m. | |
| Liverpool | 12 23 a.m. | 12 41 p.m. | |
| SUN RISES | | | |
| Belfast | 7 49 a.m. | | |
| Birmingham | 3 52 p.m. | | |
| Bristol | 9 51 a.m. | | |
| Glasgow | 6 51 p.m. | | |
| London | 6 51 p.m. | | |
| Manchester | 6 51 p.m. | | |
| Newcastle | 6 51 p.m. | | |
| Nottingham | 6 51 p.m. | | |
| MOON SETS | | | |
| Belfast | 7 49 a.m. | | |
| Birmingham | 3 52 p.m. | | |
| Bristol | 9 51 a.m. | | |
| Glasgow | 6 51 p.m. | | |
| London | 6 51 p.m. | | |
| Manchester | 6 51 p.m. | | |
| Newcastle | 6 51 p.m. | | |
| Nottingham | 6 51 p.m. | | |

SATELLITE PREDICTIONS

The figures give, in order, time and visibility, where rising, maximum elevation, and direction of setting. An asterisk denotes entering or leaving eclipse.

London

Cosmos 236 rocket: 18.48-18.51 WNW 35SW SW

COS-B 2nd stage: 17.14-17.19 S 45NW N (Dec. 7) 4.51-5.10 N 90WSW S.

Manchester

Cosmos 236 rocket: 17.08-17.15 WNW 80ENE ESE

COS-B 2nd stage: 17.15-17.19 S 80W N (De. 7) 4-51-5 09 N 80NE S.

London Readings

From 6 p.m. Tuesday to 6 a.m. yesterday: Min temp 12C (54F). From 6 a.m. to 6 p.m. yesterday: Max temp 16C (61F). Total period: Rainfall, 0.07in; sunshine, nil.

The Guardian
119 Farringdon Road,
London, EC1R 3ER