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Parliament file



BF 7/6/79

10 DOWNING STREET

From the Private Secretary

5 June 1979

Dear John

The Chancellor of the Duchy yesterday afternoon discussed with the Prime Minister the handling of the Report of the Select Committee on Procedure.

The Chancellor of the Duchy explained that early action was necessary. He referred to the Government's manifesto commitment to act on the Report. He explained that he saw little scope for changing the proposed package for the structure of Select Committees, but was confident of securing important safeguards in respect of their powers in three directions: he intended to limit the number of sub-committees which could be established; to limit their powers vis-à-vis Ministers so that they could invite, but not require, Ministers to give evidence; and to ensure that security considerations were properly handled.

The Prime Minister noted that the dates of 21 and 25 June were pencilled in for Parliamentary action which could therefore be announced in the Business Statement on 14 June. She agreed that Cabinet should consider the question on 14 June. She instructed the Chancellor of the Duchy to submit for that discussion a thorough paper, which should set out in detail the arguments for and against both the existing structure of Select Committees and the proposed new structure, and which should also consider some reasonable alternative proposals. In stressing the need for the Cabinet to have the chance of considering alternatives, she drew attention to a number of possible criticisms of the new proposals. These included the risk that they would reinforce the rigid demarcation of business between departments, and would become pressure groups for increased spending by the departments which they monitored; the difficulty in accepting as a whole the Report's proposals for new Select Committees, given the real need for exceptions in some areas, for example, in respect of the Parliamentary Commissioner for Administration's affairs; the possible problems over security; the difficulty of controlling expenditure on the activities of the committees; and the problem of treatment for Scottish and Welsh affairs.

It may be helpful for you to know, that in another context, the Prime Minister has drawn attention to the need to widen the economic debate in the country, and to the possible value in this respect of informed consideration by Select Committees on, for example, fundamental economic and industrial issues, coupled with detailed questioning of those involved.

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CONFIDENTIAL

CONFIDENTIAL

- 2 -

It would be helpful if the Prime Minister were to see a draft of the Chancellor of the Duchy's paper before it is circulated to Cabinet. Could you please aim to let us have this by close of play on Thursday 7 June.

I am sending a copy of this letter only to Martin Vile (Cabinet Office).

Yours ever

Mike Pattison

John Stevens, Esq.,
Office of the Chancellor of the Duchy of Lancaster.

CONFIDENTIAL

RECORD OF A MEETING AT 10 DOWNING STREET TO DISCUSS HOUSE OF COMMONS
PROCEDURE ON 4 JUNE AT 1700

Present: Prime Minister Chancellor of the Duchy of Lancaster
 Mr. Ian Gow
 Mr. Mike Pattison

The Prime Minister acknowledged that early action was expected on the recommendations of the Committee on Procedure but noted that the Government had not settled its position, nor the criteria on which it would take a position. She had doubts about the new structure for Select Committees proposed in the Report. She would much prefer to see a system strengthening co-ordination across the demarcation lines between Ministries: the proposals were more likely to re-enforce the demarcation. She asked whether she should speak to the Chairman of the 1922 Committee. The Chancellor of the Duchy of Lancaster said that he had not recently spoken to Mr. du Cann, but knew that he favoured the package. The Early Day Motion on the subject had been signed by virtually all members of the 1922 Committee's Executive. The Prime Minister said that the Motion did not just call for a debate on the Report, but focussed on the proposed Select Committees and their powers. The Government had not prepared a position on either the numbers or the powers of the Committees. The CDL said that officials in all Departments had been consulted, and that he had particularly consulted the Home Secretary and the Lord Chancellor. There was general agreement that the proposals must be put before the House. He felt that the crucial issue was not the structure of Select Committees but their powers and numbers.

The Prime Minister said that the options had not yet been set out for Ministers. It was unacceptable that the House should be presented with a simple yes or no decision on the specific proposals made by the Committee. She felt, for example, that the abolition of the existing Science and Technology Committee would be a retrograde step. The CDL felt that the Government had little choice, given its Manifesto pledge. The Procedure Committee's Report had been unanimous on Select Committees, and those who had spoken in the two-day debate had overwhelmingly favoured the recommendations. The proposals were a rationalisation

CONFIDENTIAL

- 2 -

of what had grown up. The Prime Minister disputed this. The existing Committees e.g. PAC, Expenditure Committee and Nationalised Industries Committee, could handle many questions more effectively. The CDL said that he was aiming to restrict the proliferation of Sub-Committees, and to cut back the proposals made on the powers of Select Committees. He felt he could hold the line on the Committees being empowered to invite not require Ministers to give evidence. The Government could not expect to be in full control of what had to be a House of Commons matter. Twenty-five new Members of Parliament had already signed the Early Day Motion. The Prime Minister said that this did not improve her view of those new Members. She felt that the present system was much better. But those who shared her view appeared to be offered no alternative to consider, but simply a yes/no option on these proposals. She asked how security considerations were to be taken into account. The CDL assured her that arrangements would be agreed to safeguard sensitive issues covering defence, security or international relations. This, together with his proposal to reduce the number of Sub-Committees which could be created, and his proposal to protect the position of Ministers, amounted to quite extensive safeguards in the crucial areas.

The Prime Minister felt that the new Committees could well prove to be a monumental waste of time, and they would undoubtedly invent expensive travel proposals. She asked how these could be controlled when there were no effective cash limits. The House of Commons Commission was not effective in this respect. She pointed to the proposal to transfer responsibility for monitoring the work of the Ombudsman as another example destroying existing effective procedures. The CDL noted that he had proposed the retention of that particular Committee. Mr. Gow drew attention to the special factors relevant to that case.

The Prime Minister asked how the requirements of Scotland and Wales were to be dealt with. The CDL said that Scotland was a separate issue, where a decision would emerge after the All Party talks. The handling of Wales and Northern Ireland would be considered in the context of the present Report. If, as the Prime Minister suggested, a number of Scottish MPs were to table a Motion calling for a Select Committee, he would refer to the All Party talks as the appropriate forum to consider this. The Prime Minister asked why that particular issue should be any less a matter for the House than the proposals for other Select Committees.

/ The CDL

CONFIDENTIAL

CONFIDENTIAL

- 3 -

The CDL stressed that he had to act quickly. The Prime Minister said that there must be a much more detailed paper: she suspected that the Government was giving way all too easily on these proposals. The CDL said that he had wished to discuss the matter with her before setting out details, and that he saw no real alternative approach. The Party, whilst never committed to these twelve Select Committees, had given a commitment to reform on the basis of the Report. The Prime Minister commented that that had slipped through without a proper paper to consider. That experience must not be repeated: she did not regard this as a genuine commitment. Cabinet must consider a paper setting out the options for and against the existing structure and for and against the proposed new structure, and setting out clearly the numbers of Committees involved. She was aware that the dates of 21 or 25 June were being considered for discussion in the House, and that this would allow an announcement to be made in the business statement on budget day. Cabinet would have to decide what position to take, and whether to vote together or abstain. She remained sceptical. She did not accept the Chancellor of the Duchy's view that an intelligent Minister should see no problems with the Select Committees. They would tend to become pressure groups for additional expenditure in those fields, regardless of the approach of this Government to public expenditure. She reiterated her view that the Select Committee system would reinforce the cracks of the Departmental system, and felt that many who had served on the previous Committees would oppose change. She was nevertheless ready to consider the Chancellor of the Duchy's paper at Cabinet on 14 June. This paper must be thorough, and must also include a discussion of the Scotland and Wales issues.

4 June 1979

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