

Private & Confidential

Procedure for the Election of a Leader of the Conservative Party

Note of a Meeting held on July 21, 1977

Present: The Rt Hon Edward du Cann, M.P.
Chairman of the 1922 Committee;
The Hon Charles Morrison, M.P.
Vice-Chairman of the 1922 Committee;
Lt-Col the Rt Hon Sir Martin Charteris, GCB, GCVO, OBE.
Private Secretary to Her Majesty.

The purpose of this private meeting was to discuss the possible Constitutional implications of the Conservative procedure for the election of a Leader. The purpose of this note is to record the discussion and to provide a reference for the future.

It was agreed that how the Conservative Party elected its Leader, or who was elected, could not in any circumstances be the Concern of the sovereign, except academically, unless this affected the Constitutional position.

The election of a Leader during a period of Opposition would not give rise to any Constitutional problem. The election of a Leader when the Conservative Party was in Government was, however, a different matter, and needed careful consideration.

In the case of a Prime Minister who decided to retire it would be necessary for him to remain in office during the period of the election. There was a precise analogy with the retirement of Sir Harold Wilson in 1976. He remained in office as Prime Minister during the interval of three weeks while the election of Mr Callaghan took place among members of the Parliamentary Labour Party.

In the event (for example) of the death of a Conservative Prime Minister, problems would at once arise. The Sovereign and the State must not be left in a position over a few weeks where there is not a Head of Government. On the other hand, the Sovereign would not wish to invite a leading figure in the Conservative Party to become Prime Minister before an election was held.

It was agreed that the most likely course of events would be for the Sovereign, in these circumstances, to invite a respected figure in the Conservative Party, who could not possibly be considered as a candidate for election as Leader of the Party, to assume this role pending the completion of the election procedure. The election complete, the Sovereign would then almost certainly invite the new Leader to become Prime Minister. (The

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words 'almost certainly' are deliberately meant to indicate that there is no wish to derogate from the Sovereign's Constitutional discretion.)

The holders of the various State Offices would be considered to act as temporary Prime Minister during the Election period: it might be that the Lord Chancellor of the day might be the most suitable candidate.

It was agreed that the Chairman and Officers of the 1922 Committee would be immediately available for consultation by the Sovereign's advisers, and would almost certainly be consulted.

ERC
24.11.77

Note: this note was approved by the Officers and Executive of the 1922 Committee at their meeting on 17 November 1977. It has been circulated to:

The Leader of the Conservative Party;
The Chief Whip, House of Commons;
The Leader of the Conservative Party in the House of Lords;
The Chief Whip in the House of Lords;
The Chairman, the Conservative Party;
The Chairman; the Executive Committee of the National Union.