

Confidential Filing

Parliamentary Discussion of Intelligence
Matters.

PARLIAMENT

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807

DECEMBER 1982

| Referred to | Date | Referred to | Date | Referred to | Date | Referred to | Date |
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| 20.12.82 23.12.82 | | | | | | | |
| <p>PREM 19/868</p> | | | | | | | |

✓ MR. COLES

Parliamentary Discussion of Intelligence Matters

Following your correspondence with Brian Fall resting with your letter of 20 December, the Home Secretary's office rang to tell me that, while the Home Secretary was broadly content with the line that was proposed, he was sure that there would be a need to reassess the text of the proposed statement in the context of the time at which a debate might take place. I said that I was sure that this would happen anyway.

TF

23 December 1982

CONFIDENTIAL



10 DOWNING STREET

From the Private Secretary

20 December 1982

PARLIAMENTARY DISCUSSION OF INTELLIGENCE MATTERS

The Prime Minister has seen your letter of 15 December. While she is rather doubtful that a statement of the kind you propose will have much effect on those Members of Parliament who interest themselves in these affairs, she agrees that such a statement should be made. Mrs. Thatcher has, however, made certain amendments to the text which you put forward and I enclose a copy of the amended version with this letter.

I am copying this letter to John Halliday (Home Office) and Richard Hatfield (Cabinet Office).

A. J. COLES

Brian Fall, Esq.,
Foreign and Commonwealth Office.

In this debate we shall inevitably be touching on matters of great sensitivity. It would be natural if hon. Members/Noble Lords wished to explore not just the political issues involved, but also questions related to the acquisition and use of secret intelligence. It is my duty, however, to remind the House that anything which we say on that subject here is certain to be reported, and probably given wide publicity, outside and abroad. I am sure that this House would wish to do nothing which might make the tasks of our own security and intelligence people harder, or those of our opponents easier. I hope therefore that hon. Members/Noble Lords will avoid reference in their speeches to our own operations, organisation and techniques or those of our closest allies.



Ref: A082/0557

SECRET

MR. COLES

M 20/12
h-a.

Parliamentary Discussion of Intelligence Matters

Brian Fall wrote to you on ^{with ABC} 15th December on this subject enclosing a draft passage which might be used in the opening speeches in any Parliamentary discussion which relates to intelligence matters.

2. Sir Robert Armstrong has three small amendments to suggest to the draft passage (shown on the attached copy) which have the effect of blurring the references to our own security agencies in order to avoid use of the plural in line with the policy of non-avowal.

3. I am copying this minute to Brian Fall in the Foreign and Commonwealth Office and to John Halliday in the Home Office.

R.P.

R.P. Hatfield

16th December 1982

SECRET

1 (Rev. 1)

DRAFT STATEMENT

SECRET [UNTIL APPROVED]

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM:

Reference

DEPARTMENT:

TEL. NO:

PRIORITY CLASSIFICATION

TO:

Your Reference

Secret
et
Confidential
Restricted
Classified

Copies to:

SECURITY MARKING

SUBJECT:

.....In Confidence

SECRET.....

In this debate we shall inevitably be touching on matters of great sensitivity. It would be natural if hon. Members/Noble Lords wished to explore not just the political and moral issues involved, but also questions related to the acquisition and use of secret intelligence. It is my duty however to point out to the House, that anything which we say on that subject here is certain to be reported, and probably given wide publicity, outside and abroad. I am sure that this House would wish to do nothing which might make the tasks of our own security and intelligence ^{people} ~~services~~ harder, or those of our opponents easier. I must therefore ask hon. Members/Noble Lords to exercise great self-restraint, and avoid any reference in their speeches to ^{our own} ~~the~~ operations, organisation and techniques ~~[of our own agencies]~~ or those of our closest allies.

.....—flag(s).....

SECRET[UNTIL APPROVED]



Prime Minister

Foreign and Commonwealth Office

London SW1A 2AH

15 December 1982

Do you agree that Govt. speakers should use the form of words suggested by Mr. Pym?

A.J.C. 16/12

John Pym

*As surely as it will have any effect on the...
reminiscent of...*

Parliamentary Discussion of Intelligence Matters

In the Falklands debate on 3 April Mr Ted Rowlands said that 'As well as trying to read the mind of the enemy, we have been reading its telegrams for many years'. Mr Rowlands has of course been firmly taken to task for making such remarks but we have also been considering how we might prevent further revelations of this kind, possibly in any debate on the Security Commission's report on the Prime case, or when Parliament considers the Franks report on the Falklands. Those are likely to be particular danger points, but others might arise in future.

Parliamentary privilege in relation to the Official Secrets Acts (OSA) was considered in the case of Mr Duncan Sandys in 1938 (1938/39 House of Commons paper 101). It was decided in that context that Members are privileged from prosecution under the OSA for disclosures made during procedures in Parliament. At that time, and again in 1977/78 at the time of the 'A, B, C' case, it was argued that the right approach was that Parliament itself should exercise discretion and restraint. Unfortunately, no progress appears to have been made in drawing the need for self-discipline formally to Members' attention. There may still be room for considering whether a Select Committee should consider the matter, but such a Committee would be unlikely to restrict its enquiries to this limited aspect and would want to review the whole question of supervision of the intelligence agencies. It may therefore be better not to pursue this idea.

Mr Pym believes that the best way of proceeding would be if the opening Government speaker in each House were to remind Members, at the start of any forthcoming debate in which intelligence matters are likely to come up, of the need to be responsible in what they say about secret matters affecting the national interest. There might also be value in such circumstances in arranging for a similar appeal to be passed round privately, by the Government and by the Opposition, to all their Members who might have knowledge of such matters from their past functions. I enclose a draft of the kind of statement which Mr Pym thinks might be used, either by the Prime Minister or possibly by himself or the Home Secretary.

/Mr Pym

SECRET



Mr Pym would be grateful to know the Prime Minister's views and those of Mr Whitelaw. I am therefore copying this letter to John Halliday (Home Office) as well as to Sir Robert Armstrong.

*Yours ever,
Fall*

(B J P Fall)
Private Secretary

A J Coles Esq
10 Downing Street

SECRET

DSR 11 (Revised)

DRAFT STATEMENT

SECRET [UNTIL APPROVED]

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FROM:

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DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
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- Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

CAVEAT.....

In this debate we shall inevitably be touching on matters of great sensitivity. It would be natural if hon. Members/Noble Lords wished to explore not just the political ~~and moral~~ issues involved, but also questions related to the acquisition and use of secret intelligence. It is my duty however to ^{remind} ~~point out to~~ the House ^z that anything which we say on that subject here is certain to be reported, and probably given wide publicity, outside and abroad. I am sure that this House would wish to do nothing which might make the tasks of our own security and intelligence ^{people} ~~services~~ harder, or those of our opponents easier. I ^{hope} ~~must~~ therefore ^{ask} ~~ask~~ hon. Members/Noble Lords ^{will} ~~to exercise~~ great self-restraint, and avoid ~~any~~ ^{our own} reference in their speeches to ~~the~~ operations, organisation and techniques ~~of our own agencies~~ or those of our closest allies.

Enclosures—flag(s).....

SECRET[UNTIL APPROVED]

