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SIR ROBERT ARMSTRONG

1. Thank you for your minute of 23 July.
2. I have considered carefully the view taken at your meeting yesterday but feel that it is essential that I should make the point tomorrow that at the time the inquiry was instituted I did not know that the disclosure had been made by Miss Bowe.
3. I am enclosing a draft of the Answer I propose to give to the arranged Parliamentary Question.
4. I am sending copies of this minute and its enclosure to the Lord President, the Lord Privy Seal, the Chief Whip and Mr Wicks.

Mt

23 July 1986

PERSONAL AND CONFIDENTIAL

DRAFT/

Question: To ask Mr Attorney General, if he has yet received copies of the Reports of the Select Committee on Defence on Westland.

Answer: Yes. The Select Committee state that if, when I authorised an offer of immunity from prosecution to one of the officials concerned in the Head of the Home Civil Service's inquiry into the circumstances of the disclosure of the Solicitor General's letter of 6 January, I was able at that stage to say that under no circumstances would I have prosecuted the official concerned, I must have known, and could only have learned from the Head of the Home Civil Service, that the disclosure had been authorised.

I wish to make it absolutely clear that at the time when I advised that an inquiry be instituted, I did not know that ^{by whom} the disclosure had been made ~~by the official concerned~~ or that it had been authorised by the then Secretary of State for Trade and Industry or at all.

At the time when I granted immunity to the official concerned, while I had reason to believe that the disclosure had been made by the official concerned, and that the official concerned had acted in complete good faith, I was not aware of the full circumstances. It was important that the inquiry should

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discover as fully as possible the circumstances in which the disclosure came to be made, and should provide those concerned with the opportunity of giving their accounts of their part in the affair. It was clear that the testimony of the official in question would be vital to the inquiry, and I judged it right that possible impediment to full co-operation in the inquiry should be removed. I was and am satisfied that that in no way interfered with the course of justice: the facts as disclosed in the inquiry confirmed my judgment that there would have been no question of proceeding against the official concerned.

As the Select Committee recognise, I was not told of the direct involvement of the then Secretary of State for Trade and Industry until 22 January.

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