



DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET

Telephone (Direct dialling) 01-215 5422
GTN 215
(Switchboard) 01-215 7877

Secretary of State for Trade and Industry
PS/

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25 September 1986

Nigel Wicks Esq
Principal Private Secretary to the
Prime Minister
10 Downing Street
LONDON
SW1

Dear Nigel

DEFENCE COMMITTEE : WESTLAND PLC

at 11.00
Sir Robert Armstrong sent me a copy of his minute to you of 23 September enclosing a revised draft of the Government's response to the Defence Committee's Fourth Report.

My Secretary of State has read the revised draft and wishes to make only one comment, which however he regards as important. In his view the omission of much of the substance of paragraph 13 of the previous draft (enclosed with Sir Robert Armstrong's minute of 19 September to the Prime Minister) has resulted in a text (in paragraph 6 of the revised draft) which fails to explain adequately the actions of officials, and therefore by implication fails to justify the decision not to have disciplinary proceedings. He preferred the original text; but if that is felt to be too long, he feels that the revised text should be amended to meet this point.

The simplest form of amendment would be to insert, in the penultimate sentence, the word "correctly" before the words "believing that Ministerial authority had been given for what was done". If it is felt that this fails to meet the point that a Minister does not have the right to authorise a breach of the rule about the confidentiality of Law Officers' advice, an alternative would be to substitute for this clause the words "and in accordance with Ministerial instructions". By one means or another he thinks it should be made clear that officials in this Department acted, as Mr Brittan told the House, in accordance with the wishes and

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instructions of their Secretary of State and are not to be blamed for having done so.

I am sending copies of this letter to Sir Robert Armstrong and to the other recipients of his minute.

Yours on

A handwritten signature in dark ink, appearing to read 'Timothy Walker', with a stylized flourish at the end.

TIMOTHY WALKER
Private Secretary

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AEROSPACG Westland P16.

