



PA - CF file

MS
22/4/81

Ref. A03455

MR. SANDERS

Lord Mountbatten's Memoirs

The Times today includes an article by Bernard Levin, arguing that the decision of the Broadlands Archives Trustees, after considering my advice, not to authorise the showing of Lord Mountbatten's filmed record of his role in the Suez affair, was "a suppression of the truth" which would have been contrary to the wishes of Lord Mountbatten, and including various quotations from the script of the programme.

2. There is not much that I can add, by way of notes for answers to possible Questions, to the note which I sent to you on 27th October, and my letters to Mr. Ludovic Kennedy, of which I think you have had copies. I am not sure, however, whether you have had a copy of my last letter of 27th October, which has not been published.

3. I attach a few further notes for supplementaries, in the form of background notes rather than answers to Questions.

4. Nothing in Mr. Levin's article has changed my view about publication of the programme; if anything, it has strengthened it. But that of course is the point on which there is a fundamental difference of view between me and the Trustees on the one hand and Mr. Kennedy and now Mr. Levin on the other.

5. The disclosure of the script to the Times was without the knowledge or agreement of the Broadlands Archives Trustees, and Lord Brabourne has already been in touch with me to express his regret.

6. Mr. Levin talks about "the truth being suppressed". There are good reasons for thinking that Lord Mountbatten's account of the matter was in many respects some way from the truth - though I do not suggest that his own view of the matter at the time was other than as he describes it. But the accuracy of the programme is beside the point. My concern was not whether it was right or wrong, but with the breaches of confidence which it contained.



7. The Prime Minister should know, however, that Lord Hailsham has consulted me as to the propriety of his writing to the Times to correct the record, insofar as it relates to his own part in the affair. His letter will say that the conversation reported by Lord Mountbatten and quoted in columns 4 and 5 of the article in the Times never happened, and that Lord Mountbatten's recollection was confused and at fault. I have said to Lord Hailsham that in my view it would not be a breach of propriety for him to write to the Times to correct inaccuracies in Lord Mountbatten's account as it applies to him.

RA

(Robert Armstrong)

5th November, 1980

Broadlands Archives
Trustees

Mountbatten's

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Lord Mountbatten's Memoirs

Further notes for supplementaries

It is clear that someone in the BBC "leaked" to Mr. Levin the original script of the programme on Lord Mountbatten and the Suez affair and an indication of the passages whose omission the Secretary of the Cabinet had suggested on the ground that they were particularly glaring breaches of confidence. Mr. Levin claims not to be in breach of the law of copyright. That is a matter between the Broadlands Archives Trustees, the BBC and Mr. Levin. The Government is not involved. If there was a breach of the undertaking given by the Broadlands Archives Trustees to the former Secretary of the Cabinet, it occurred when the BBC were given access to material in the Broadlands archives without the prior consent of the Secretary of the Cabinet.

2. It is not accurate for Mr. Levin to say that "the truth was being suppressed". The Secretary of the Cabinet made clear to the Broadlands Archives Trustees and in his letters to Mr. Ludovic Kennedy his view that Lord Mountbatten's account of his role in the Suez affair ought in due course to be on public record. The question was one of timing.

3. On the conventions laid down in the Radcliffe Report on Ministerial Memoirs, accounts of confidential relationships should be subject to restriction for fifteen years or so long as those concerned are still "in the Service" whichever is longer. In this case, Lord Hailsham is clearly still "in the Service"; and Mr. Macmillan is still active in public life. Outside the period which is conventionally subject to restriction, whether or not and when to disclose confidential relationships is a matter of taste and judgment. In this instance the Broadlands Archives Trustees and the Secretary of the Cabinet took the view that the time had not yet come when this programme should be shown; the BBC and Mr. Kennedy took a different view. Someone in the BBC has now chosen to pass the script to Mr. Levin without the agreement or knowledge of the Trustees as a means of circumventing the Trustees' decision not to authorise the showing of the programme at this time.

15 yrs.
no restriction
the service



4. The Secretary of the Cabinet kept the Prime Minister informed of the advice he was giving to the Broadlands Archives Trustees about the Mountbatten programmes in general, and the Suez programme in particular. He did not ask for her approval, but she made it clear that she was content with his general approach.

5. Nothing in Mr. Levin's article has changed the Prime Minister's view that the Broadlands Archives Trustees were entirely justified in their decision, and the Secretary of the Cabinet was justified in his view, that the time had not yet come when the breaches of professional confidence - and indeed of personal friendship - in this programme should be made public.



NOTES FOR SUPPLEMENTARIES

Lord Mountbatten's Memoirs

Q. Why did the Secretary of the Cabinet become involved?

A. Lord Mountbatten was allowed to retain for the Broadlands Archives certain material which he acquired in the course of his official responsibilities under conditions which gave the Secretary of the Cabinet a right of veto on access to and use of the material. In accordance with his agreement the Trustees of the Broadlands Archives Trust sent the scripts of six programmes to the Secretary of the Cabinet late last year. The Secretary of the Cabinet considered the scripts in relation to the responsibilities laid upon him by the Radcliffe Report on Ministerial Memoirs (Cmnd. 6386), which was accepted by the Government and the Opposition at the time and lays down the principles and conventions involved in the publication of memoirs by both Ministers and those in the public service.

Q. On what grounds did the Secretary of the Cabinet give instructions that the programme on Suez was not to be broadcast?

A. The Secretary of the Cabinet gave no such instructions. When the scripts were first submitted to him, at the end of 1979, he asked that the programme on the Suez affair should not be transmitted for the time being, because of its potential consequences in the tense situation then prevailing in the Arab world. When he was approached again last July, he said that it was no longer necessary to ask for the postponement of the showing of the programme on those grounds, but he repeated the advice which he had given earlier that in his view the showing of the programme in question would represent a clear breach of confidential relationships, some of them with people still active in public life. He made it clear, however, that in accordance with the conventions recommended by the Privy Counsellors' Committee the responsibility for deciding whether the programme should go ahead or should be withheld for the time being rested with the Trustees in the light of the advice which had been given to them.

Q. Is this a case of Government interference with the BBC?

A. No. The Secretary of the Cabinet gave his advice to the Broadlands Archives Trustees.



BACKGROUND NOTE

At the end of 1979, Lord Mountbatten's son-in-law, Lord Brabourne, sent the Secretary of the Cabinet the scripts of a series of proposed BBC programmes containing Lord Mountbatten's recollections which had been made some years ago. These scripts were sent to Sir Robert Armstrong as a result of undertakings given to Sir Burke Trend by the Trustees of the Broadlands Archives Settlement in 1969. Sir Robert considered these scripts in accordance with the principles recommended by the Radcliffe Committee of Privy Counsellors on Ministerial Memoirs. He wrote to Lord Brabourne on 8th February this year requesting certain minor deletions from the programmes on grounds of national security or prejudice to international relations. He also suggested that the Trustees should consider changing or omitting certain sections of the scripts of these programmes which in his view constituted grave breaches of confidential relationships. Apart from these specific suggestions, he expressed his view that the programme on the Suez episode constituted a serious breach of the professional confidence governing the relationships which Lord Mountbatten enjoyed as First Sea Lord with Ministers and with his other colleagues. Sir Robert also asked for the showing of the Suez programme to be deferred for the time being in view of the tense situation which then prevailed in the Arab world.

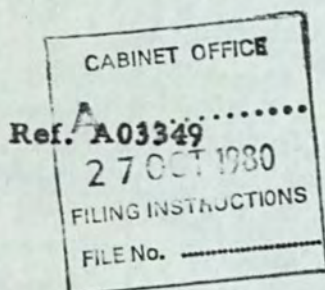
2. Lord Brabourne confirmed in reply on 15th February that the contract between the BBC and the Trustees of the Broadlands Archives Settlement provided that any amendments or omissions required by the Government would be accepted, and that all the suggestions which Sir Robert Armstrong had made to modify the scripts on questions of confidentiality would be accepted. On the question of postponing the Suez programme, he said that he would contact Sir Robert Armstrong later in the year to see whether transmission then might be possible.

3. When Lord Brabourne again wrote to him on 1st July about the postponement of the Suez programme, Sir Robert Armstrong replied that, although he did not think it necessary to ask for a further postponement of the programme on the grounds of the delicacy of the situation in the Middle East, he continued to believe that the breach of confidences contained in the programme was such that its



showing would be a serious breach of professional trust and personal friendship. In this respect, he drew Lord Brabourne's attention again to the considerations set out in the Radcliffe Report as they applied to Lord Mountbatten. He asked Lord Brabourne that he and his fellow Trustees should consider very seriously indeed whether they should allow the showing of the programme to go ahead. Lord Brabourne subsequently told Sir Robert Armstrong that he and the other Trustees had decided that the programme on Suez should not now be included in the series and that the material was to be deposited at the Imperial War Museum in the joint names of the BBC and the Trustees of the Broadlands Archives Settlement, against the possibility that the time might come when the programme could be shown.

4. The presenter of the programme, Mr. Ludovic Kennedy, wrote to Sir Robert Armstrong on 25th September asking for an explanation of why he had advised Lord Brabourne that the Suez programme should not be shown. Sir Robert Armstrong replied on 3rd October giving details of the considerations he had had in mind in giving advice to Lord Brabourne. Mr. Kennedy wrote again to Sir Robert on 14th October, asking a number of further questions. Sir Robert Armstrong's reply to Mr. Kennedy reached him only after Mr. Kennedy's article in The Listener had gone to print and he was not able to take account of it in the article. Mr. Kennedy proposes, however, to write to the Editor of The Listener, for publication in its new issue, quoting Sir Robert's second letter.



VMS
JW 27/10
File
27th October, 1980

Thank you for your letter of 23rd October.

I can understand why anyone reading only my exchange of letters with Lord Brabourne might make the comment in the second paragraph of your letter. May I, however, make four points on that paragraph:

- (a) I made quite clear to Lord Brabourne at the beginning of the year - though not in the letter you have seen - my view that the programme on Suez as a whole constituted a serious breach of confidential relationships and that the trustees should consider from this point of view whether the programme ought to be shown.
- (b) The request in my letter of 8th February 1980 to Lord Brabourne that the programme should not be shown for the time being because of the situation in the Arab world was of a different order from my advice on the matter of confidential relationships. The request was one to which, under the principles set out in the Report of the Committee of Privy Counsellors, the trustees were under a duty to accede; the advice was only something that they were expected to pay careful attention to in making their decision.
- (c) I did not put the advice in my letter to Lord Brabourne of 8th February because the questions whether and when the programme was to be shown were hypothetical while my request for postponement remained in effect. When I wrote on 8th February I was not to know when the question of showing the programme would arise or what view it would by then be appropriate for me to express on the question of confidential relationships.
- (d) I have taken no decision on whether the programme should be transmitted, because it is not for me to take a decision. I have expressed views, if you like given advice; the trustees have taken a decision.

/On

Ludovic Kennedy, Esq.

On your third paragraph I cannot accept that my reliance on the Privy Counsellors' Report has been selective. I might equally complain that your quotations from it are selective! I have tried, as honestly as I can, to apply in this instance the whole tenor of its recommendations as they apply to my responsibilities.

I must not allow myself to be drawn by the questions at the end of your third paragraph. Perhaps you intended them to be only rhetorical, but they are certainly hypothetical. The only answer I could give would be quintessentially Asquithian!

I think that the last paragraph but one of your letter sums the matter up admirably; and I thank you for the courtesy with which we have both (I hope) conducted this correspondence.

ROBERT ARMSTRONG