

CHAPTER 14.

THE PARLIAMENTARY SELECT COMMITTEE.

PARLIAMENTARY SELECT COMMITTEE ON THE CONDUCT OF MEMBERS.

On Monday, November 1st 1976, less than two years after the same House had set up a Royal Commission to examine matters relative to the Poulson Affair, and because of continuing public anxiety, the House of Commons considered a Motion for the appointment of a Select Committee of its Members 'to inquire into the Conduct and activities of Members of this House in connection with the affairs of Mr. J.G.L. Poulson ---'

The House divided and 274 votes were registered in favour of the Motion, with 21 votes against.

It was ordered that the Committee 'do consist of Ten Members,' and the following were nominated : -

Miss Harvie Anderson.
Mr. Peter Blaker.
Mr. Leon Britton.
Mr. Emlyn Hooson.
Mr. Max Madden.
Mr. William Ross.
Mr. Donald Stewart.
Mr. Michael Stewart.
Mr. Jeffrey Thomas.
Mr. Peter Thomas.

At its first sitting, on November 9th 1976, the Committee appointed Mr. Michael Stewart to act as its Chairman.

There was to be one change in the composition of the Committee, during the course of its proceedings. The Report notes that on December 16th it was ordered - 'that Mr. Leon Brittain be discharged from the Select Committee on Conduct of Members and that Mr. Patrick Mayhew be added to the Committee.'

In the course of its deliberations on November 1st, the House considered a further Motion, introduced by the Prime Minister -

'That no person not being a member of the Select Committee on Conduct of Members shall be present during any of the proceedings of the Committee unless required by the Committee to be present for the purposes of their inquiry.'

An amendment was proposed, in the name of Mr. Dennis Skinner - 'to leave out from the word 'That' to the end of the Question and add the words 'the Committee shall conduct its proceedings in public' - instead thereof.'

The amendment was defeated by 256 votes to 35.

'The Main Question (the Prime Minister's Motion) being put : - It was agreed to.'

Mr. Maxwell-Hyslop made a further Motion -

'that no witness summoned to appear before the Committee shall claim Crown Privilege as a justification for refusing to answer questions asked by the Committee.'

On a division this, too was heavily defeated.

'So the Question was negatived.'

One more Question was 'negatived.'

This was in the form of a Motion made by Mr. David Steel -

'that the Committee shall at their discretion sit in public if they consider that at any stage of the inquiry the requirements of justice or of the public interest requires them to do so notwithstanding any of the foregoing.'

So the Committee proceeded to take its evidence - in private, and within, inevitably, tightly constricted terms of reference.

All those who had argued for a more open and thoroughgoing form of inquiry must have cringed as each succeeding Amendment and Motion was 'negatived.'

The Committee's Report was published after eight months of deliberations on July 13th 1977, under the title - 'Report from the Select Committee on conduct of Members.'

Its terms of reference were defined in the opening paragraph -

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'The Select Committee appointed to inquire into the conduct and activities of Members of this House in connection with the affairs of Mr. J.G.L. Poulson- to consider whether any such conduct or activities amounted to a contempt of the House or were inconsistent with the standards which the House is entitled to expect from its Members ---'

The Report goes on to offer a description of the Poulson 'empire' and to explain the association with myself and my public relations organisation.

'Mr. J.G.L. Poulson, with whose activities Your Committee have been concerned, had at one time one of the largest architectural practices in Europe. His organisation included civil engineers and surveyors as well as architects and it specialised in what he called a 'package deal' approach. In addition to the organisation, there were a number of 'Poulson companies.' Ropergate Services Limited was the service company for the Poulson organisation, providing it with premises, staff and so forth. Ovalgate Investments Limited was a small investment company. Open Systems Building Limited specialised in local authority work, whilst two companies promoted the construction activity for the Poulson organisation. They were first Construction Promotion Limited and subsequently International Technical and Constructional Services Limited which in effect replaced it. Through these companies Mr. Poulson obtained work as an architect and consultant in the construction of public buildings for local authorities in this country and for Commonwealth and foreign governments.

Closely associated with Mr. Poulson during the period 1961 - 1969 was Mr. T. Dan Smith ---

Mr. Smith organised a number of public relations companies which worked for Ropergate Services Limited, and effected introductions between Mr. Poulson's companies and local authorities wishing to develop town centres or deal with housing problems.

Architects ~~were~~ professionally debarred from advertising, and Mr. Smith's companies assisted the 'Poulson organisation' as a whole to perform this function for him. Mr. Poulson's business career was ended by his bankruptcy in 1972 and conviction for corruption in 1974. Mr. Smith was also convicted of corruption in 1974, as were several other people, members of local authorities and others, who had received bribes in connection with public construction work.

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It is not necessary here to describe in detail the long and complex process of inquiries and prosecutions, which lasted for some years; but in the course of them the names of several Members were mentioned in a manner which reflected on their conduct, and it was from this circumstance that Your Committee's inquiry came into being.'

That was one interpretation of the circumstance that has brought the inquiry into being.

The man-in-the-street, in a less privileged position, might have interpreted the circumstances somewhat differently. The powerful combination of Lord Salmon's concern and the Observer's disclosures had surely provided the immediate circumstance which had induced the birth of the Select Committee. Without these two elements, it must have been clear to all that the House, on November 1st 1976, would have found other issues about which to make Motions, to reject Amendments and to negative Questions.

If the House, through the Report of its Committee, was soliciting praise for its boldness and initiative in instituting the Committee's inquiry, it must have been in the ingenuous belief that the public had already forgotten the Raphael article and the Salmon intervention.

The Observer editorial had already asked the question -

'If the Observer had not published its report last Sunday ---- would any action have been taken? Almost certainly not. And if not, why not? The Parliamentary committee announced last week by the Prime Minister, in response to the Observer's revelations, must eradicate any suspicion of a cover up. This will mean examining not only the charges against M.P.'s, but the way they have been handled by Conservative and Labour administrations since the evidence first came to light.'

In the event, the question was not answered. The Committee's field of inquiry was narrow.

The Report has this to say on the subject -

'Your Committee's task, therefore, was precisely defined. It was concerned with the activities of Mr. Poulson only in so far as they affected persons who were, or at the relevant times had been, Members of the House. Further, in view of the Attorney General's statement, the inquiry was not concerned with criminal activities, but with actions which might have been contempt of the House, or which might have fallen below the standards the House was entitled to expect of its Members.'

Those opinion leaders and opinion formers, both in the House of Commons itself and in the media, who had campaigned for open and searching inquiry, not only into the conduct of the M.P.s, in relation to Poulson, but into other matters, were denied.

In some of its detail the Report was able to support the most strenuous contention of some of the 'Tiny people' who had appeared in the dock, and, in so doing, take issue with the findings and inferences of earlier tribunals of inquiry and court hearings.

For example, it defines the period of the association between my interests with Poulson. It confirms that the relationship between the my companies and Ropergate Services, Limited had ended in 1969, thereby casting a critical light on one of the wilder assertions in the Report of the Salmon Commission, that had it not been for the Poulson bankruptcy in 1972 'Mr. Poulson and his accomplices might well still be carrying on their corrupt practices today.'

The Report's confirmation of the date of the termination of the my association with Ropergate also had a direct bearing on the inferences in my indictment in relating to my alleged efforts to show 'influence in favour of J.G.L. Poulson.' during the period of my chairmanship of the Peterlee Development Corporation.

On matters of wider significance, however, the Report of the Select Committee was unable to be so positive.

The Committee's concern was to be confined to the 'activities of Mr. Poulson only in so far as they affected persons who were, or at the relevant time had been, Members of the House.'

Vital questions would still remain unanswered. For example, the question of the suppression of the dossier was to be ignored.

It was noted, too, that the protection made available to those members of the House under investigation was quite unique. The bar to any further 'inquiry into the possibility of obtaining further evidence of criminal offences' had been raised by the Attorney General's statement, before the Select Committee had begun to take its evidence.

The Report expressed criticism of the conduct of three M.P.s, for their close dealings with Poulson and his companies. It was held that Mr. John Cordle, Tory M.P. for Bournemouth East had 'abused his Membership of Parliament'. Mr. Albert Roberts, Labour M.P. for Normanton and Mr. Reginald Maudling were, in the opinion of the Committee, guilty of conduct which was 'inconsistent with the standards which the House is entitled to expect from its Members.'

Maudling's connection with Poulson between 1966 and 1970 calls for specially close examination, because immediately afterwards, from 1970 to 1972, he was to hold high office in Government, as Home Secretary, at a critical time in the Poulson Affair.

The Report, dealing specifically with Mr. Maudling, traced his business association with Poulson back to 1966. Throughout the period 1966-70 he was actively involved in the affairs of one or more of the Ropergate associated companies, energetically promoting their interests. This was a period when Maudling's party was out of office, and he occupied a position on the Opposition Front Bench.

'Mr. Maudling's business association with Mr. Poulson began in 1966. After negotiations following an introductory letter from Mr. Poulson of June of that year, Mr. Maudling became a Director of Construction Promotion Limited in September, and subsequently Chairman in November. International Technical and Construction Services Limited replaced Construction Promotion, and Mr. Maudling became a Director and Chairman of it on 3rd January 1967. He also became a Director of Open Systems Building Limited on 11th July 1967. Mr. Maudling described his work for these Companies to Your Committee (Q 1469 -1483). This involved seeking to obtain business for Mr. Poulson, to some extent in the United Kingdom, but principally overseas, on behalf of ITCS, in the Middle East, in Mexico and in Malta (Q 1500).'

The Report set itself to chronicle the sequence of events which had brought Maudling and Poulson together —

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1st June, 1966. Mr. Poulson hears of the Gozo Hospital project.

10th June, 1966. Mr. Poulson and Mr. Maudling's first contact.

13th September, 1966. Mr. Maudling's appointment.

5th October, 1966. Mr. Poulson pays £5,000, to the Adeline Genee Theatre Trust, which is overdrawn.

The Adeline Genee Theatre Trust had launched an appeal for funds. Mrs. Beryl Maudling was one of the Trustees. Construction Promotion, Limited had entered into a deed of covenant for the benefit of the Trust, in the sum of £5,000. per year.

Maudling had been questioned on the point when he appeared before the Select Committee in March 1977, and had replied -

'Yes. Mr. Poulson agreed before I accepted his invitation to be Chairman of Construction Promotion to make a covenant in favour of this charity.'

The chronology, by itself, is unremarkable. It goes on to cover the remainder of 1966, all of 1967 and the early part of 1968, demonstrating 'a close chronological interlocking of actions on behalf of the Theatre Trust and actions by Mr. Maudling in the House and in contacts with the Maltese Government and senior British officials which were to the benefit of Mr. Poulson.'

More remarkable, perhaps, is the fact that the chronology is at odds with the dates and contents of other documents which were included in the Report, in the form of Appendices.

Appendix 41 was a copy of the Minutes of a meeting of Construction Promotion Limited.

'Meeting of the Directors of Construction Promotion, Limited, held at the County Hall, Wakefield, at 4.05 p.m. on Thursday, 29th September, 1966.

APPENDIX 41.Minutes of a meeting of Construction Promotion Limited.

Meeting of the Directors of Construction Promotion Limited, held at the County Hall, Wakefield, at 4.05.p.m. on Thursday 29th September 1966.

Present:

Sir Bernard Kenyon.

J G L Poulson.

J D Iredale.

Apologies for absence were received from W.F. Marr and H Bolton together with proxies appointing J G L Poulson and J D Iredale to attend in their places.

1. A resolution was proposed and passed that the Right Honourable Reginald Maudling, PC MP would be appointed a Director and Chairman of the Company.
2. A resolution was proposed and passed that a Seven Year Covenant be entered into with the Adeline Genee Theatre Trust in the net sum of £5,000, the Covenant then being signed by Sir Bernard Kenyon as Deputy Chairman.
3. A resolution was proposed and passed that the Company pay the expenses of Sir Bernard Kenyon to enable him to visit the Offices of the Company in Lagos, Nigeria and meet various Ministers as arranged by the Federal Chief Justice. It was also resolved that Sir Bernard Kenyon be provided with lightweight clothing for the trip such to become and remain the property of the Company.

(Signed)

R MAUDLING.

Appendix 42 was a copy of a letter addressed to the Adeline Genee Theatre Trust, from Messrs. Blundell, Baker Limited on 30th September, 1966 - the day after the board meeting at Wakefield.

Dear Sirs,

On the instructions of our clients, Construction Promotion Ltd., we enclose Deed of Covenant together with cheque for £5,000 in respect of the first year's payment.

The Covenant is being entered into at the request of the Rt Hon Reginald Maudling, PC, MP.

Will you kindly acknowledge receipt of the enclosures to us.

Yours faithfully,

Blundell, Baker & Co.

The Committee did not see fit to comment on the conflict of the dates in these appendices and the dates in its own chronology in Paragraph 32 of the main body of the Report. Neither did it see fit to comment on the fact that the meeting of the Directors of Construction Promotion, Limited on 29th September, 1966 had been held at the County Hall, Wakefield. Sir Bernard Kenyon, as Clerk of the West Riding of Yorkshire had his offices at the County Hall. The Minutes of the meeting were signed by Mr. Maudling. Were the proprieties of distinction between public office and private interest being observed?

Appendix 79 confused the matter of the dates still further. This was a copy of a letter from Mr. Albert Roberts to the Minister of Works, Malta. It was dated 23rd September 1966, and included the following paragraph -

'Messrs. Poulson's, Architects and Engineering Consultants are the consultants associated with a firm called Construction Promotion, of which some of your Ministers might have knowledge, the newly appointed chairman of which is the Right Honourable Reginald Maudling, M.P.'

It is only necessary to pursue the dates in the Report of the Select Committee because the discrepancies that are revealed were not the subject of any further investigation. Compare the reticence to take action with that which had been taken against me in Peterlee even when evidence of the dates was in my favour.

Appendix 79 was a copy letter dated 23rd September 1966 and it included the phrase "the newly appointed chairman of which is the Right Honourable Reginald Maudling, M.P."

Obviously Mr. Roberts had been advised to that effect before writing the letter.

Appendix 41 was a copy of the Minutes of a meeting of Construction Promotion, Limited, held at the County Hall, Wakefield at 4.05. p.m. on Thursday, 29th September, 1966.

Present :

Sir Bernard Kenyon
J.G.L. Poulson.
J.D. Iredale.

1. A resolution was proposed and passed that the Right Honourable Reginald Maudling, P.C., M.P., would be appointed a Director and Chairman of the Company.

Mr. Roberts had written to the Minister of Works, Malta, six days before the appointment of Maudling to the Board of Construction Promotion, informing him that Maudling had already been appointed.

The Report gave its own dates for the same events as., Mr. Maudling became a Director of Construction Promotion in September, and subsequently Chairman in November.

Hardly a reassuring collection of vitally important strategic dates.

When did Mr. Maudling become a Director of Construction Promotion, Limited? When did he assume the office of Chairman? When did Mr. Poulson enter into the Deed of Covenant with the Adeline Genee Theatre Trust?

The man-in-the-street could hardly have been blamed for the feeling that, if the Select Committee had considered such detail as worthy of establishment, as part of its searching, albeit limited, inquiries, the report of its findings, together with the minutes of its evidence and its list of appendices, gave him several choices in the matter.

The Committee examined carefully the question of whether the House might have expected a declaration of interest, at relevant times, from those of its Members who had been in close association with Poulson. *No doubt the same will have applied*

Certainly several ^{tiny} 'people' had been examined very carefully indeed, in the courts, on this very issue.

Again Mr. Maudling found himself in a 'special position.' He was an ex-Minister of the Crown, and a 'shadow Minister.'

The Report takes up the point -

'Mr. Maudling vigorously, and not improperly, worked to promote Mr. Poulson's interests in Malta - first in obtaining the hospital contract, and later to secure the long - delayed payment of fees, to which Mr. Poulson was certainly entitled. He was at that time Deputy Leader of the Conservative Party and (from November 1966 until April 1968) Chief Opposition spokesman on the Commonwealth, the Colonies and Overseas Development. This aspect of his responsibilities was clearly of interest in Malta, and his two roles were well known there, as is evidenced by the report of an interview Mr. Maudling gave in Malta to the Times of Malta in January, 1967. (App 51 (2)). In consecutive sentences (not, of course, the responsibility of Mr. Maudling) the report first says (discussing proposed defence cuts); 'Mr. Maudling affirmed that there was 'tremendous' sympathy for Malta not only in the Conservative Party but also in the other parties in Britain.' The report then goes on, 'Mr. Maudling commented that as Chairman of International Technical and Construction Services Ltd., he was interested in the project for a new hospital in Gozo, the development of Mgarr Harbour and also the development facilities in the port.' It cannot have been absent from the minds of those Maltese whom Mr. Maudling approached on business matters on behalf of Mr. Poulson, that if they did what was requested they would be gratifying someone who might at the time - and even more in the future (since a 'shadow' Minister is a potential future Minister) - be in a position to help Malta.'

The chronology of the association of Maudling with the Poulson companies set out in the Select Committee's Report details a series of interventions in proceedings concerning Malta by the Chief Opposition spokesman on the Commonwealth, the Colonies and Overseas Development.

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'It so happened that the period from late 1966 to mid 1967 was a time when Mr. Maudling was both active on Mr. Poulson's behalf over his Maltese interests, and on behalf of the Opposition in the House on the question of the Maltese economy. It was Mr. Maudling's responsibility to speak in the House on this subject -----'

The Committee's Report paid special attention to Maudling's contribution to a debate in the House on 2nd February 1967 -

'A debate on Malta in the light of the proposed cuts in defence expenditure was held on 2nd February 1967. It was opened by the Minister of State, Commonwealth Affairs (Mrs. Judith Hart) and Mr. Maudling spoke first from the Opposition front bench, in his capacity as official spokesman. Mr. Maudling evidently believed, despite Mrs. Hart's statement to the contrary, that there was a real danger that the Government would cut aid to Malta (col. 818 - 9). The maintenance of aid to Malta was certainly in Mr. Poulson's interests and consequently in Mr. Maudling's interests, since he was concerned not only with the hospital but with the Mgarr harbour and port facilities developments. The more aid that Malta received, the greater would be the likelihood of work for companies with which Mr. Poulson and Mr. Maudling were connected. Mr. Maudling did not declare an interest to the House --'

There were to be several further interventions -

'Mr. Maudling on 28th February 1967 argued as follows in a Defence debate : 'In the case of Malta, there is no doubt that further British expenditure there would generate pretty well in entirety further British exports -----'

Having furnished the catalogue of evidence, the Committee came, at last, to its judgement -

' ----- Your Committee consider that Mr. Maudling would have been better advised to let his interest in Malta be known to the House at a time when he was bound to be making frequent interventions about the island. They consider that in particular the passage quoted above is an example, in addition to that of 2nd February, 1967, where the House would have expected a declaration of interest had it become aware of the facts at the time.'

Referring to the debate of 2nd February, 1967 specifically, the Report commented -

"Your Committee are satisfied that if the House had, shortly after the speech was made, become aware of the facts, they would have taken the view that a declaration ought to have been made; and to this extent Mr. Maudling was at fault."

The language was decorous. The reproof seemed mild.

Later, Mr. Maudling was asked if he would resign his seat. He is quoted as replying - "Not on your Life."

The 'Tiny people' had, for several years, been pursued relentlessly through the courts on the very question of whether their interest had, or had not, been declared. They were likely to find no special savour in the Committee's findings, specially if their reflections included a recollection of the point made by Adam Raphael nine months earlier - 'But had the M.P.'s, been local councillors, they would almost certainly have been prosecuted, at the very least for failing to disclose their interest."

The Select Committee's Report stated clearly that as early as 1967 Maudling and Poulson shared interests about which 'the House might have expected a declaration' on Maudling's part.

Those shared interests continued right up to the point in 1970 when Maudling was appointed Home Secretary in the Heath Government.

One of the questions which the Committee put to Maudling was - 'Did your colleagues in the Shadow Cabinet know of your connections with Malta through ITS?'

Maudling replied -

'I would have thought so. I imagine they did; the Government knew. You know the way these things happen.'

This betrays an appalling state of affairs, surely! How, in the light of such knowledge - if it could be established beyond doubt - had it been possible for Maudling to be offered, and for him to have accepted, the office of Home Secretary in 1970?

Maudling became Home Secretary in June, 1970.

The timing is of significance.

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The Report of the Salmon Commission had claimed that the "Dossier" of "detailed and disturbing information" linking the names of Poulson Smith and Cunningham had been under consideration by the authorities in 1970, for a period totalling nine months.

Part of this period must have coincided with Maudling's tenure of office as Home Secretary. Because the police had been involved with the investigations from the results of which the "Dossier" had been compiled, he should, as Home Secretary, have been informed. And if not, why not?

Perhaps the new Home Secretary was not acquainted with Cunningham, but he certainly knew ^{and I} Poulson. As early as 1967, he had interests which he shared with Poulson, about which 'the House would have expected a declaration?'

The Select Committee, in ignoring the "Dossier", had absolved itself from the need to consider any of the uncomfortable questions connected with the suppression of the dossier and its contents.

The Committee's Report turned its attention to Mr. Maudling's decision, in 1972, that 'it would not be appropriate for him to continue as Home Secretary.'

Maudling's resignation was a consequence of the decision to instigate a police investigation into Poulson's activities. This had followed close on the heels of the startling revelations emerging from Poulson's public examination in bankruptcy.

In fact, the flood of publicity generated by the bankruptcy proceedings had the effect of confronting Maudling publicly with what he must have already known privately as head of the Metropolitan Police, and therefore Scotland Yard, between 1970 and 1972.

The Report enters its judgement on the matter of Mr. Maudling's letter of resignation

'On 18th July, 1972 the Prime Minister (Mr. Heath) announced to the House that, arising from Mr. Poulson's public examination in bankruptcy, there was to be a police investigation into Mr. Poulson's activities

The Prime Minister read an extract from a letter he had received from Mr. Maudling, stating that he did so at Mr. Maudling's request.

The letter contained the following passage - " --- assertions that --- before I accepted his (Mr. Poulson's) invitation to become Chairman of an export company, for which post I took no remuneration, he had made a covenant in favour of a charitable appeal which had my support. I do not regard this as a matter either for criticism or for investigation."

It was in these terms, therefore, that Mr. Maudling chose to describe his relationship with Mr. Poulson to the House. While the letter contains nothing that is untrue, Your Committee consider that had the House been aware both of the close business relationship between Mr. Poulson and Mr. Maudling and the nature of the financial relationships between them, that it would have considered Mr. Maudling's statement to have been lacking in frankness. **Your Committee consider that in this respect Mr. Maudling's conduct was inconsistent with the standards which the House is entitled to expect from its Members.'**

The phrase "lacking in frankness" in this context must rank as one of the classic examples of Parliamentary euphemism. It would not, one feels, suffer by comparison with the Churchillian 'terminological inexactitude.'

The Committee had heard and seen detailed evidence 'both of the close business relationship between Mr. Poulson and Mr. Maudling and the nature of the financial arrangements between them.' These latter had extended far beyond the matter of 'a covenant in favour of a charitable appeal which had my support.' They included costs of travel incurred by Mrs. Maudling and lucrative employment for Maudling's son, which had continued after his father became Home Secretary.

Appendix 61 of the Report was indicative, in general terms, of the extent of the financial arrangements. It was in the form of a letter from Maudling to Poulson, and was dated 6th April 1968 -

'My Dear John,

The amount Baker sent me set out very graphically the total cost to you of the Maudling family and their interests. It certainly is colossal. I only hope you think it is worth while : never hesitate to tell me if you have doubts.

Take care of yourself : you've been going at a hell of a pace for a long time. When do you get a holiday?

REGINALD MAUDLING.

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"No reply please"

Poulson, it would seem from his correspondence, was always alert to the need to get value for money from those with whom he had made 'financial arrangements.' In cases where he was paymaster he was no respecter of persons. The labourer, no matter how exalted, was expected to be worthy of his hire.

Less than two weeks after the Maudling letter, Poulson wrote to him (Appendix 62)

"I am told the O.D.M. (Overseas Development Ministry) says the accounts should have been sent to them quarterly and they would have sent the money to Malta for us to be paid. As they haven't received any accounts they just cannot pay us anything. This seems to be a ridiculous state of affairs. May I respectfully ask you, Reggie, if you will go along and see these people and try and get something moving. I am having to pay tax, S.E.T. and P.A.Y.E. to the Government, yet the last thing the Government do is pay me. Please let us have some results from the Civil Servants.

Yours Sincerely"

Maudling had, apparently, been successful in this menial task. He is credited in the Report with having worked vigorously on Poulson's behalf 'to secure the long delayed payment of fees, to which Mr. Poulson was certainly entitled.'

The association between Maudling and Poulson had ended in 1970, shortly before Maudling's appointment to the Home Office. The House of Commons was, apparently, unaware of the nature of their business relationship at that time, even though, in Maudling's opinion, his colleagues in the Shadow Cabinet may have been aware of it.

Maudling, as Home Secretary, assumed ultimate responsibility for the decision to suppress the "Dossier", whose contents concerned Poulson, amongst others. The information it contained had been both detailed and disturbing."

Maudling had been prominent in directing the affairs of several of the Poulson companies, and had worked vigorously to promote Mr. Poulson's interests.

Maudling had been a 'Poulson man' until 1970. ^{He} became Home Secretary at a time when official investigation into the affairs of Poulson and his companies was already under way. His office gave him responsibility for some, at least, of those conducting the investigations, and for vital decisions based on their results.

Should this extraordinary 'coincidence' - more extraordinary, even than the fact that Maudling had been Chief spokesman for the Opposition on Overseas Development at a time when he was vigorously promoting Poulson's interests in Malta - not have been a matter of primary concern to the Select Committee? They were taking their evidence in 1977, when all the relevant facts - including the existence of the ["]Dossier["] - were known.

Should it have been of concern to the Salmon Commission, in 1976, which had actually been bold enough to mention the Dossier?

Were there sufficient grounds to merit prosecution of Maudling, assuming the Attorney General had not 'closed the file'?

If not, how did it stand comfortable comparison, in the view of the man-in-the-street, with ^{the} apparent vital necessity of prosecuting so many of the 'tiny people' in some cases so 'tiny' as to be totally insignificant in terms of the parts they played, compared with the degree of involvement of the not-so-tiny people who escaped? One such-perhaps the tiniest, and certainly quite unknown to the gossip columnists, and to those in the corridors of power, whether at home or overseas - was Mrs. Freda Cunningham. She had appeared with her husband on charges of conspiracy and corruption. The Judge directed that the charges against Mrs. Cunningham should 'Lie on ^{the} File.'

During the period 1966 - 1970 Maudling had been a Director of three of the Poulson Companies. From the time when this association with Poulson became widely known he had taken many opportunities in interviews and statements to play down the extent of his involvement, and the degree of his awareness of 'what was going on'. He had, at times, been at pains to point up the difference between an executive and a non-executive Director.

In reply to a question from the Chairman of the Select Committee he had said -

IN the trial of Hadwin, Dewar, Ward, and Reebuck in 1915,
where I was produced as a prosecution witness,

I replied to a question from defence counsel, saying

'Because they (the directors of O.S.B.) were so eminent in Local and National Government, I cannot accept it when they say they did not know I was being paid. I think they had a responsibility to the company, and to companies they employed, to ensure that people who were employed in the company, and particularly people in Local Government, were acting in an upright and legal manner.'

The responsibility lay primarily with the Chairman and directors of the company. In the case of O.S.B. that was Sir Bernard Kenyon, Reginald Maudling, Mr. Maudling Jnr., Mr. Marr, and Dr. Williams.'

I returned to the question during the course of my own evidence to the Parliamentary Select Committee -

'The other association, which was not a direct association from the point of view of my companies, was, of course, the Reginald Maudling association. This has always been the most worrying for me. I was never on the board of Poulson companies, but I did from time to time attend the Boards of Poulson companies, and the reputation of the members of the Boards was always to me, if you like, the mark of the respectability of the companies. It was one of those things which later disturbed me when I thought what had gone on in those companies. When I was originally charged, albeit it may be said on a non-Poulson charge, nevertheless it worried me when I found myself in the dock with a man paid by Poulson - I am talking of Sidney Sporle (who had been on the O.S.B. payroll) - on a charge which had nothing to do with Poulson, and a man with whom Mr. Maudling had had some association.'

It deeply disturbed me when Mr. Maudling in the middle of 1970, became Home Secretary, and I found myself in the dock. I say that because I resigned every one of my public positions when I was challenged although I did not feel I was guilty. I still feel disturbed about that because I do not think that, in my experience, Mr. Maudling ever did anything improper. But certainly the companies of which Mr. Maudling was Chairman behaved improperly, and I think it was unfortunate as the events unfolded he should find himself in the critical position of Home Secretary during a period which, I repeat, led me to 9 years of questioning, sentencing and imprisonment in respect of companies which were solely, during my experience under the control of Sir Herbert Butcher, Reginald Maudling and, later, Sir Bernard Kenyon.'

The examination of Maudling by the Select Committee continued -

'Of course, in the end a number of serious irregularities in Poulson's came to light. When did you first become aware of this?'

Maudling replied -

"You say that a number of serious irregularities came to light in the Poulson companies. With respect, I am not quite sure that I agree with that statement -----

So far as the irregularities in the Poulson practice are concerned, I knew nothing about them until I read the bankruptcy proceedings in the press. So far as the Poulson companies are concerned, one is Ropergate, about which I knew nothing and in which I had no part. The other three were C.P., I.T.C.S., and O.S.B., and I am not aware of any irregularities in any of them."

It must have seemed almost beyond belief to the Committee, that in 1977, by which time several 'tiny people' had been sentenced on charges directly concerned with irregularities in the trading practices of O.S.B., that one of its directors should still, apparently, be unaware that there ever had been any irregularities.

Referring specifically to his connection with O.S.B., Mr. Maudling was quoted in the Daily Telegraph on 9th August 1972 -

"I was a non-executive director of the company, and I left in the autumn of 1969."

The Select Committee's Report, in its Appendix 68, reproduced a statement from Mr. John Brennan, who had served as a Conservative member of the Bradford City Council during the period May 1965 until May, 1968. He testified to the fact that he was a member of the Housing Committee during this time.

Excerpt from the statement of Mr. John Brennan -

'One incident that stands out clearly in my mind during this period took place at a small social gathering in the South of England in either June or July 1967. I was introduced to Mr. Maudling, the ex-Chancellor of the Exchequer. In conversation with him, Bradford was mentioned. Someone had obviously told him of my connection with the Housing Committee (I was Deputy Chairman at this time) and a ten minute conversation ensued when he informed me of his association with a Company in South Yorkshire, which was a building concern.'

Several days later he telephoned me at my office in Bradford, re-introducing himself and reminding me of his association with a building company in South Yorkshire. He asked me if I would be interested in looking round the organisation or indeed if there were any plans in the pipeline for further development in Bradford. I replied that our policy had been to wind down development in the city but, if at any stage in the future development was planned, I would let him know. I told him this to 'fob him off' politely."

For a non-executive director, this seemed to be attention to detail above and beyond anything which the distinction could reasonably be expected to encompass.

Soon after his appointment as nominal Chairman' of Construction Promotion, Ltd. *Mandling was busy* himself on matters of detail in furtherance of the company's immediate interests. On October 10th 1966, for example, he wrote five letters (Appendices 44 - 48, inclusive of the Select Committee's Report) on the company's behalf to contacts in Malta, including the Minister of Tourism, the Minister of Public Building and Works (twice) the President of Gozo Civil Council and the Minister of Health.

In each of these letters *Mandling* pointed out that following reorganisation of the company he had been appointed Chairman. He was able to advise all of these contacts, except one, that having been appointed Chairman he had either 'been through' or 'looked through' the files. This was, at most, a few days after his appointment.

Such action might have been held to be somewhat vigorous, on the part of someone who was to describe himself as 'nominal Chairman.'

Appendix 44 may be taken as typical of the tone and content of the letters. In this he addresses himself to Dr. Borg Oliver, the Minister of Tourism -

'Dear Sir,

re : Birguma Hotel Project.

You will notice from the letter heading that there has been a reorganisation of the Board of this Company, of which I

have the privilege of becoming its Chairman. I have been through the files and on behalf of the Company we are now in a position and ready to go ahead with the above project at your earliest convenience. This, of course, will be with the Association of J.G.L.Poulson, Architects and Engineers, with whom you are conversant.

Yours faithfully, "

The other letters dealt with such detailed matters as the proposals for the hospital on Gozo, a children's hospital at Guardamangia, advice on finance, the Mgarr Harbour.

This represents a formidable grasp of detail by a 'nominal Chairman' in a very short time. It could certainly not be expected of a non-executive director.

The examination of Mr. Maudling by the Committee reached the point of conclusion.

He was asked by the Chairman -

'Is there anything you would like to add?'

The witness felt that there was -

'If you could spare a minute or two, first of all, as I said in my letter to the Clerk, I am not sure to what extent it is your intention to publish not only evidence but supporting documents; for example, my examination in private at the bankruptcy hearing, which I did not see myself until I got these documents. I had to fight an action in the High Court to ensure that it was not published because I gave that evidence to the bankruptcy court on the understanding that it would not be published. I am not asking for an answer now. I hope it would not be necessary to publish all the supporting documents as opposed to the evidence given to the Committee.

Can I put another point to you? It has been suggested that there is in existence an official report either to the Director of Public Prosecutions or to the Attorney General referring to three M.P.'s. including myself and saying that they should be prosecuted for bribery and corruption apart from some alleged immunity of M.P.'s. acting in their Parliamentary capacity. There is no such document in the dossier you kindly sent me, nor has any such document been mentioned this afternoon.

May I take it that if such a document does exist my own name is not one of the three names mentioned on it?"

The Chairman replied -

'On the first point I cannot give you an answer directly but I note very seriously what you have said and we will have to reach a decision on this. Again on the second question I cannot give you an immediate answer, I am afraid '

He was interrupted by the witness -

'Could I ask this point? I am sorry to press it. If the Committee were in possession of evidence to the effect that I had been bribed or corrupted, would they not have presented and confronted me with that evidence?'

'I think the answer to that must be yes.'

'Very well. Could I ask one final question? Once again it may be an improper one. I will try not to make it a question. I hope if any member of the Committee has any reason to doubt or challenge the veracity of anything I have said today, he will do so.'

'Yes. I must be quite candid. I do not think you can expect the Committee to give an answer to that off the cuff. We shall have to receive a written report of the whole hearing and read it through very carefully.'

Maudling persisted -

'But if as of now you think anything I said was untrue, you would tell me so?'

'Certainly we would tell you so if we were not satisfied.'

'Thank you. I hope they were not improper questions but I thought it was fair to try them.'

Amongst the several pressing concerns expressed by Maudling in this passage, was the urgent desire to protect himself from the prospect of further publicity, arising from the publication of documents which had been presented to the Committee.

His evidence at the bankruptcy court had been heard in private. He had fought a High Court action to avoid unwanted publicity.

These attempts to avoid the spotlight must have been the envy of all those who had been unable to secure such advantage.

One example of the harsh light which had been thrown on them was provided in the Sunday Times Colour Supplement of September 24th 1972. Under the heading 'The Poulson People' this issue devoted some fifteen pages, including the front cover to detailed exposures on the Poulson

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(Tiny) People. The spread included thirty one photographs, and although Maudling's name is mentioned in the text, no photograph appeared.

Apart from Maudling, Smith, Cordle and Roberts the Committee took evidence from Mr. E.O.Lane, former Solicitor, Metropolitan Police, Detective Chief Superintendent K.H.Etheridge, Metropolitan Police, Poulson, Mr. John Binns and Lord Glenamara.

The Report was duly presented to the House of Commons. The House took note of its findings.

If the press and the public, inspired, perhaps, by the Sun headline had expected a 'Watergate' Inquiry, they had to settle for something less.

The press made the most of what it got.

An editorial in the Guardian on July 15th 1977 included studied criticism, and raised another mystery -

"-----it can only be observed that the circumstances described in this report are extremely disquieting: and the House of Commons needs to take a sombre view of them.

The House will be well aware that the method of investigation used in this case is imperfect : not least because the report as now published leaves a variety of loose ends which ought not to be left untied. (What, for instance, has been lost by the deletions made in the transcript? -----)"

Was this last not typical of the jagged and clumsy devices employed at all stages, over at least seven years, by the agencies of investigation and inquiry?

Form. In the addition, the evidence is rather than clarity.

"The public may wonder," said Adam Raphael, commenting on the Report of the Select Committee, 'whether justice has both been done and been SEEN to be done.'

The target for the remark could have been widened to include many of the elements in this massive, and finally ineffective, long drawn out process of inquiry and investigation.

The same thread had been running throughout. How could the public have been satisfied with - the mystery of the Parliamentary file,-

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the decision on the 'Dossier', which had the effect of altering the entire the attempts to halt the bankruptcy proceedings - the decision to hold successive official investigations in private- the fact that one individual had been allowed to give evidence in private to an otherwise public hearing- and now, deletions from the transcript of the last of the public inquiries?

In one sentence the Guardian editorial struck a hammer blow at the entire charade. Although its strictures applied only to a part-the Report of the Parliamentary Select Committee -they, too, could have been widened to embrace the whole -

'In fact, the measures for policing M.P.'s. interests on which the Commons agreed after Poulson have done little to provide new defences.'

Adam Raphael was able to establish recognition of the essential weakness not only of our attempts to police the conduct of Members of Parliament, but of our failure, in this case, to make the best use of the opportunity provided by Ropergate to define standards of conduct and procedures which could be applied fairly throughout public life. This has been the most grievous failure of the Ropergate Affair. The recognition of it makes nonsense of the treatment of many of the 'tiny people' so ruthlessly pursued.

Raphael wrote -

"But does any Select Committee, however well qualified, have the resources and time to carry out a complex investigation into serious charges of this kind? Doubts like this, raised last year by the Salmon inquiry into standards of conduct in public life, are not totally dispelled."