CAB 103/816

Part 1 of 2

CONFIDENTIAL

CABINET OFFICE

THIS FILE MUST NOT GO OUTSIDE THE CABINET OFFICE

HR 10/3

CLOSED 1995

FILE TITLE

CUSTODY OF THE PRIVATE COLLECTION OF DOCUMENTS OF SIR WINSTON CHURCHILL HELD IN THE CHARTWELL TRUST

PART NUMBER 1F

FILE BEGINS 26.5.95 ENDS 13.9.95 | FILE No. HR 10/3 | PART NUMBER 14

INDEX HEADINGS

REFERRED TO	DATE	REFERRED TO	DATE	REFERRED TO	DATE

File to go for second review

CLOSED 1995

CAB 103/816

Other Files containing Matter Bearing on this Subject

File No.	TITLE

PREVIOUS REFERENCE .....

FOLIO REGISTER-FILE No. HR10/3 PT.14

FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.
36	15.7.95	Article	49	4.8.95	H95/627	58	4.9.95	H095/593
			50	4.8.95	H095/548			
			50M	4.8.95	H095/546			
37	17.7.95	Fax.				59	6.9.95	H095/599
38	17.7.95	Fax.	51	7.8.95	H95/638			
39	17.7.95	H095/484						
40	17.7.95	H95/562						
						60	13.9.95	H095/638
			52	8.8.95	H95/686			
41	18.7.95	H95/564						
41M	18.7.95	LETTER				61	21.9.95	H095/657
			53	10.8.95	H95/650			
42	20.7.95	H095/497	53M	10.8.95	H95/659			
43	20.7.95	Article				62	21.11.95	H095/757
			54	25.8.95	H095/572			
44	27.7.95	H95/593						
			55	28.8.95	H95/684			
45	28.7.95	H095/521						
			56	31.8.95	H095/577			
46	31.7.95	H95/615						
			57	1.9.95	H95/688			
47	3.8.95	H095/543						
48	3.8.95	H095/544						

OS90 (6/89)D

FOLIO REGISTER-FILE No.....

FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.

FOLIO REGISTER-FILE No. HR10/3 PT.14.

FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.
1	26.5.95	H95/432	13	13.6.95	A9985	24	4.7.95	H95/525
2	26.5.95	H095/401						
3	26.5.95	H95/433						
4	26.5.95	Faxed.						
5	26.5.95	H95/431	14	14.6.95	E.D.M.	25	7.95	H95/533 Article
			15	14.6.95	Fax.			
			16	14.6.95	H95/475	25M	5.7.95	H095/455
			16M	14.6.95	H95/493			
6	30.5.95	H95/435				26	6.7.95	H95/539
			17	16.6.95	H95/488			
7	31.5.95	H95/447				27	6.7.95	H95/540
			18	19.6.95	Fax.			
8	3.6.95	H95/451	18M	21.6.95	A10571	28	10.7.95	H95/538
			18N	23.6.95	Press Ext.	29	10.7.95	H095/471
			19	26.6.95	H95/491	30	10.7.95	H95/549
9	7.6.95	Letter	[illegible]					
			20	27.6.95	(FAX) Letter	31	11.7.95	N.F.R.
						32	11.7.95	H095/454
10	11.6.95	H95/466				33	11.7.95	H095/475
			21	28.6.95	H95/499			
			22	28.6.95	H95/501			
11	12.6.95	A9987				34	12.7.95	H95/548
12	12.6.95	Letter.						
			23	3.7.95	H095/447			
						35	14.7.95	H95/553

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FOLIO REGISTER-FILE No.....

FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.	FOLIO	DATE	CODE REF.

CHURCHILL "LESSONS"

R

Nothing ever happened about the report on lessons to be learned from "Churchill" & I think it is now too late. Cd you arrange p a of these papers? The correspondence with Brazier may be of interest. P. 22/9/96

CAB 10 62.

CABINET OFFICE

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HO95/757

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London SW1H 9JS

Seen.

21 November 1995

Dear Michael

Now that I am well and truly back from my sojourn in the antipodes I fear that I have to raise with you the vexed question of the work to be done on the reports submitted by Duncan Chalmers and Bill Godwin on the follow up to Churchill. You will recall that we had hoped to put a paper to Sir R Butler before I went on holiday in October but other pressures prevailed. Is it at all possible for you to make progress with it please?

In this connection you may be interested to see the attached paper by Professor Rodney Brazier of the University of Manchester. He corresponded with Sir R Butler about the definition of "Cabinet Papers" and "Cabinet documents" as used in Questions of Procedure for Ministers and then sent us a copy of his paper; it makes interesting reading and includes sections on copyright and on the various legal provisions. Duncan Chalmers has seen a copy and thought it a very useful piece of work. Sorry about the marks and pencilled comments on it - they are ours and I do not want to rub them off!

Yours ever

Pat

MISS P M ANDREWS

Spoke 1/12. Told him D. Chalmers still has not received money. He will chase. Also said will try to circulate paper before Christmas.

Pat

Apart from the tiny type face and wide spacing, I find his style very lawyer-ish and hard to take in! I've made a few pencilled notes. (irritatingly, in the end)
He seems to harp on certain obsessions, like the Cabinet paper / State paper definition. (or the style ~~make~~ makes it seem so)
It's all very diffuse, do you think? Don't lawyers like to enumerate their points concisely? Or is it just me! (Duncan thought it A1!)

R/
10/11

Faculty of Law

Professor Rodney Brazier

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THE UNIVERSITY
of MANCHESTER

CABINET OFFICE
17051
18 OCT 1995
FILING INSTRUCTIONS
FILE No.

16 October 1995

Sir Robin Butler , GCB, CVO
Cabinet Office
70 Whitehall
LONDON
SW1A 2AS

(Not identical with 18.7.95 version)

C. Mrs Andrews

Dear Sir Robin

You very kindly took the time to comment on my draft article "Who Owns State Papers?" and wrote to me about it on 2 August 1995. I have altered the draft to take account of the point of substance which you made (which was a very fair one), and I have corrected the two slips about titles. A revised version, which has been accepted for publication by the Cambridge Law Journal, is enclosed: you might want to look especially at pp. 7-8.

May I repeat my thanks for your help with this? The information which you have given me has enhanced the research, and you have saved me from falling into error. I am much obliged.

Yours sincerely

Rodney Brazier

Richard
To see. I think
Duncan Clalmers would
probably like a copy
though I confess I
have not read it through yet'
Pat
20/10

Sent him one 1/11

3

CABINET OFFICE
H Internal
18 OCT 1995
FILING INSTRUCTIONS
FILE No.

WHO OWNS STATE PAPERS?

Rodney Brazier*

THE sale by the Churchill trustees of Sir Winston Churchill's pre-1945 personal papers to Churchill College, Cambridge early in 1995 caused much controversy. Over £12 million, generated by the National Lottery, was used by the National Heritage Memorial Fund to make the purchase, producing the jibe that the Trust's beneficiaries (notably the great man's grandson, Winston Churchill, MP) had won the Lottery without having to buy a ticket.[1] This little drama brought into focus a number of constitutional questions about state papers. Those questions turn around two interlocked issues. The first concerns the physical control of such papers. The state must have the use of documents generated in its service, which should therefore remain available within government after particular Ministers have left office. Against that must be balanced a competing claim by the ministerial authors of state papers: they will want, at the least, to be able to refresh their memories of their official papers after resignation, to help them in composing autobiographical and other accounts of their periods in office, or they may even (and more boldly) claim the right to sell their papers. The second issue relates to the control of government information: to what extent are the rules which purport to reinforce the state's rights to physical possession of millions of pieces of paper actually used more as a means of restricting the information which may be made public, rather than merely as a means to keep state archives intact? In addressing those issues, this article will range well beyond the crude question of ownership of state papers. The restrictions which are placed on how existing and former Ministers and civil servants may deal with papers written or received while in office will be examined. The manner in which Ministers may dispose of their official papers after their resignations will be explained. And the circumstances in which former Crown servants can properly publish confidential official information, and how improper publication of it can be

restrained, will be explored. All this will require an analysis of both conventional and legal rules, together with the means through which compliance with those rules may be obtained.

I. THE PROBLEM OF CLASSIFICATION

Plainly, a central question is: what is a state paper? That was at the heart of the dispute over the Churchill archive. According to the Churchill trustees, the 1.5 million pieces of paper in the pre-1945 collection would take 20 people 20 years to separate out into state and personal papers. That claim was disputed by the Attorney-General during the action which was abandoned when agreement was reached with the National Heritage Memorial Fund.[2] When the sale was announced the general perception was that taxpayers' money was being used to buy what already belonged to the public. This was vigorously denied by the Prime Minister. In particular, Mr. Major tried at Prime Minister's Questions to set out the factual background.[3] What had been purchased, he said, were the personal papers of Sir Winston Churchill, a collection which could have been freely sold to the highest bidder. The Prime Minister explained that the pre-1945 archive included "state papers and personal papers, many of which have no connection whatsoever with Sir Winston's time in Government".[4] The purchase of the personal papers had been funded by the National Heritage Memorial Fund, and then given to Churchill College; the Government had decided at the same time to transfer to the College all the state papers in that archive. In that way, he said, the integrity of the pre-1945 set of Churchill papers would be preserved for the nation. The Prime Minister denied that any purchase had been made of papers that were already the property of the state. He was subsequently pressed further on the distinction between the two types of document. In a written answer he reiterated that the National Heritage Memorial Fund had purchased only "non-state papers" which "are not normally to be found in the Public Records Office in either original or duplicate form".[5]

What these explanations do not purport to provide is any test for distinguishing between the two types of paper. Clearly, a Prime Minister or Minister will handle a wide range of documents during his or her tenure

of office.[6] These will include agendas, minutes, and supporting papers prepared for the Cabinet and for Ministerial Committees.[7] Ministers will also deal with memoranda and letters sent to them by their ministerial colleagues and by civil servants and others. They will oversee various drafts of papers which are eventually published, such as consultation documents and White Papers. Ministers will correspond with their counterparts and officials in other governments and with officials and others in international organisations, such as the European Union. They will correspond about departmental concerns with people outside government. Ministers will write to and receive letters from MPs and peers, constituents and other members of the public. They will handle drafts of speeches delivered in Parliament, and outside Parliament to their party or more widely. But a person who happens to be a Minister will also write and receive documents which have absolutely no relevance to official duties: obviously, such texts should not be included within any definition of a state paper. Where is the line to be drawn between the two groups?

Before the Churchill papers interlude, there had been no attempt to arrive at an official definition of what constitutes a state paper. The search for a definition can begin with legal sources. Some statutes might promise to be relevant, especially the Public Records Act 1958, and the Official Secrets Acts 1911 and 1989, but in fact they do not take the quest very far. The Public Records Act 1958 establishes the régime for the preservation of public records.[8] The term "public records" is defined[9] as including the administrative and departmental records belonging to Her Majesty's Government, and in particular records of, or held in, any department of Her Majesty's Government, or records of any office, commission or other body or establishment whatsoever under Her Majesty's Government.[10] The drafter of that Act used the term which is to be defined ("records") in the definition of that term, no doubt on the optimistic assumption that it is clear what makes up a record. But we cannot assume that all state papers fall ineluctably within that notion of a public record. For example, is the text of a ministerial speech (which perhaps should be called a state paper) unambiguously a public record? The Official Secrets Act 1911, s. 2, would not have helped, either.[11] The replacement statutory scheme in the Official Secrets Act 1989 seeks to protect information more selectively than did the catch-all section 2, and places obligations on (among others) Crown servants (a term in the Act which includes Ministers and civil servants[12]) - but only in relation to specified classes of information. In doing so, the disclosure of "any information, document or other article" within those classes is prohibited, but those terms

are (understandably) not defined.[13] It could be said that documents containing such protected information are, prima facie, state papers, although that would only constitute part of the total corpus of such documents. Again, a leading case like *Attorney-General* v. *Jonathan Cape Ltd.*[14] (the Crossman Diaries case) might be assumed necessarily to grapple with the concept of official papers. The case turned on the restrictions, if any, which the courts would place on the divulging of information about the workings of the Cabinet, and in his judgment Lord Widgery C.J. referred in some detail to the practices surrounding access to and control of Cabinet papers.[15] He took it for granted, however, that everyone understood what was meant by the term Cabinet papers, without needing him to spell it out. He did, however, quote with approval from a speech made to the House of Lords by a former Lord Chancellor in 1932[16] in which Viscount Hailsham, in asserting that an obligation of secrecy was owed by Ministers, specifically listed documents which fell within that obligation, namely, Cabinet minutes, and memoranda, telegrams and despatches and documents circulated from one Cabinet Minister to his colleagues in order to bring before them a particular problem and to discuss possible courses of action to deal with it.[17] Although that is no more than a list, clearly such documents do constitute state papers.

And so, as happens so often in British constitutional affairs, we are forced to fall back on extra-legal sources for official guidance. As will be seen later, the document *Questions of Procedure for Ministers*[18] refers to conventional rules in relation to ministerial papers, and speaks variously of "Cabinet documents", "Cabinet papers", "memoranda for Cabinet and Ministerial Committees" and to "Cabinet Conclusions or Committee minutes".[19] Yet *Questions of Procedure for Ministers* lacks a comprehensive definition of a state or official paper, although again no one could argue against placing all the documents to which it refers within any sensible definition. It was the Churchill papers episode itself which forced the Government to define terms. The Parliamentary Secretary, Lord Chancellor's Department, was asked in the House of Commons for the official definition of a state paper. In a written answer,[20] the Minister replied:

> I understand the expression 'State Papers' to signify those papers which are created or acquired by Ministers, officials or other Crown servants by virtue of the office they hold under, or their service to, the Crown. Whether or not the Crown can claim ownership of any wider class of papers will depend on the circumstances of the case.[21]

That is a useful working definition. A paper created by a Minister by virtue of that office must be within any notion of a state paper. Such documents would not have been created (or the Minister would not have caused

them to be created[22]) but for his or her ministerial office under the Crown. The Minister would not acquire most of the papers which arrive in the department but for the fact of holding a ministerial post. That definition embraces Cabinet, Ministerial Committee, and Official Committee[23] papers; documents sent to and received from other Ministers, and to and from civil servants; correspondence with other governments and international organisations; departmental correspondence with MPs, peers, and constituents which touch on the Minister's work; and the Minister's drafts of all such documents. The Parliamentary Secretary, Lord Chancellor's Department, left open[24] whether other papers of a wider class would be within the definition which he had supplied to the House of Commons; but it is not easy to think of other types which should. It is nevertheless understandable that official caution added that qualification to the Minister's answer.

What, then, are the rules touching the custody of state papers, and what are the purposes which those rules are designed to further? It is convenient to analyse first non-legal rules.

II. THE CONVENTIONAL FRAMEWORK

A. The Historical Background

In the history of British government, there has been a strong tendency to rely on the honour of those at the centre of the executive to uphold acceptable standards within government. The Queen's government is taken to be carried on by gentlemen, who do not need legally-binding rules to ensure that they behave with propriety.[25] In that spirit, those rules which are of the greatest practical importance in relation to state papers are conventional in character.[26] But, as is the case occasionally with some conventional rules, when some gentlemen act like players there is a reluctance or an inability to do very much to bring them back within the rules of the game. In order to put the current conventional rules concerning state papers into context, there must first be a glance back in time.

Britain and the Empire were ruled in an amateur fashion before the Great War turned the world upside

down.[27] The Cabinet met without a written agenda; no minutes were kept (and indeed Ministers were forbidden in some Cabinets to make notes during meetings in an attempt to maintain secrecy). Only in the Prime Minister's letter to the Sovereign after each Cabinet meeting was there any official account of what had happened in it. In that same rather relaxed atmosphere, there were no restrictions on what Ministers could do with their official papers once they had left office. They could - and many did - take away on resignation their copies of Cabinet papers and official files.[28] The First World War, however, generated a vast amount of official paper in accompaniment to the slaughter, and greater order was needed to control it. This was done through the creation of the Cabinet Office and Secretariat by Lloyd George in 1916; and as a precursor an attempt was made in the previous year to prevent departing Ministers from spiriting away their papers with them through the Cabinet resolving that its papers were Government property. Armed with that decision, it would have been open to the Cabinet Office, with the Prime Minister's support, to get back papers which had already been taken away: but in 1918 the post-war Cabinet decided that no such step should be taken.[29] There matters rested until 1934, when the National Government decided that Ministers should return their papers on relinquishing office, and also asked all former Ministers to return theirs.[30] Accordingly, the Secretary of the Cabinet, Sir Maurice Hankey, issued a memorandum which stated that any official papers arising from affairs of state were owned by the Crown, and that therefore all such papers (written since 1914) should be returned to the Cabinet Office, immediately by ex-Ministers, and on resignation by present and future Ministers. Many former Ministers fully complied, but there were notable and significant exceptions. Lloyd George and Winston Churchill flatly refused to comply.[31] Both wanted to keep their papers, to help with their memoirs and other writings, and probably to use as a saleable commodity at some future time.[32] No effective steps were taken against either man. Indeed, when Churchill was in a position to change the rulings, he did so. In a Cabinet minute of 30 April 1945 (two months before the general election which was to evict him from power) he issued the following instruction.[33]

> Ministers are entitled to keep all telegrams, minutes or documents circulated to the Cabinet which they wrote and signed themselves. Many of the Ministers have copies of these documents, of which usually a good many were struck. These must be regarded as their personal property, except that they will be bound by the rules governing the use of official papers, which are well established. To these should be added, in the case of the Prime Minister, correspondence with heads of Governments.... Ministers below Cabinet rank must return all their papers....

ie including Cab pps

By "Ministers" Churchill clearly meant former Ministers; and, of course, he wanted to keep all his prime

ministerial papers for use in writing his monumental memoirs of the Second World War. Churchill's decision was, however, controversial, and indeed his successor promptly reversed it as soon as he became Prime Minister.[34] Attlee subscribed to the more generally-accepted view that exiting Ministers must return all their documents to the Cabinet Office, save for any which were required for current administration in their departments and which were therefore to be handed over to their successors. Early in his peacetime Government, Churchill fell into line.[35] In essence, he then stressed that, on leaving office, Ministers should leave all papers required for current administration in departments, and that all other papers should be returned to the Cabinet Office. He went on to note that, on a change of government, the outgoing Prime Minister would issue instructions about the disposal of the papers of his Administration. This volte-face may be explained partly by the fact that the seventy-seven year old Churchill had, at least tacitly, given up further literary aspirations.[36]

B. The Current Conventions

Only one conventional rule governing what Ministers, on leaving office, should do with state papers is given in the current version of *Questions of Procedure for Ministers*. That rule states:[37]

> Ministers relinquishing office without a change of Government should hand over to their successors those Cabinet documents required for current administration and should ensure that all others have been destroyed ....[38]

Thus a Minister who resigns, leaving his or her colleagues in office, should leave current papers in the department so that the business of government within it can continue efficiently: all other Cabinet papers must be destroyed: none should be taken away. Presumably the injunction to destroy Cabinet papers not needed for current business reflects the fact that, thanks to the photocopier, multiple copies will exist and so the individual Minister's copies are not needed for archival purposes. It was noted earlier that the phrase "Cabinet documents" used in *Questions of Procedure for Ministers* is not defined. It could be argued that the expression "Cabinet documents" is narrower than the phrase "state paper" as defined by the Government in the aftermath of the Churchill papers affair. Thus a resigning Minister might take the view that, for example, correspondence exchanged directly with other Ministers, papers prepared for the Minister by officials, and correspondence with MPs and peers and with people outside the Government and Parliament, are not Cabinet papers, and are accordingly exempt from the conventional rule and so can be taken away. The Secretary of the Cabinet has

defined the phrases "Cabinet papers" and "Cabinet documents" as used in *Questions of Procedure for Ministers* as referring to documents of the Cabinet and its committees, being of two kinds. The first and main type consists of memoranda and minutes; the second and subsidiary kind includes notices relating to meetings, agenda, corrigenda and addenda notices, schedules and indexes. The phrases "Cabinet papers" and "Cabinet documents" do not, in the Cabinet Secretary's view, embrace other documents created or received by Ministers, such as official correspondence.[39] Nevertheless, he does not think that, because certain documents do not fall within the definition of Cabinet papers or Cabinet documents, they could be taken away, because the vast majority of documents dealt with by Ministers are public records.[40] In any dispute the Government might argue that the words "Cabinet papers" are synonymous with "state papers"; or alternatively that all state papers are, in any case, the property of the Crown and could not be removed anyway. If the purpose of the conventional rule is to ensure that departing Ministers are left in no doubt about what they should do with *all* their documents, the current wording in *Questions of Procedure for Ministers* does not unambiguously do that. One reason for this conventional rule has been given by a former Secretary of the Cabinet, Lord Hunt of Tanworth.[41] He wrote over a decade ago that Ministers may normally see the papers of former Ministers of the same party, provided that the need to do so arises in the course of their current ministerial duties.[42] Obviously, such current Ministers would not be able to see those documents, and administration would be hampered, if their party colleagues were able to take the only copies of papers away with them on resignation.

It became known publicly in 1995 for the first time, however, that this conventional rule does not apply to departing Prime Ministers. Mr. Major had to confirm this in yet another parliamentary answer to a question following the sale of the Churchill papers. In a written reply the Prime Minister began by saying:[43]

> By convention, Prime Ministers, on leaving office, have taken with them copies of certain documents which they dealt with while in office. These include some documents originated or acquired by them in the course of their official duties. This convention has not applied to Ministers other than former Prime Ministers....

The Secretary of the Cabinet has confirmed to me that outgoing Prime Ministers take only copies of documents: the top, or official, copies of such material remain in official hands.[44] There is no mention of this convention in *Questions of Procedure for Ministers*, nor in any other published source, nor has it been referred to before in Parliament. The convention is an acceptance of the actions of most former Prime Ministers.[45] But in the rest of his parliamentary answer Mr. Major indicated an attempt to change the "rule" for Prime Ministers yet

to resign. He went on:[46]

> It is my policy that in future material removed from official custody at the end of an Administration should contain no official material other than that which is already in the public domain.

This statement of intention reads as an attempt to put resigning Prime Ministers in the same position as other resigning Ministers, and to make them subject to the same conventional rule. Mr. Major will, no doubt, comply with his own new rule when he leaves Downing Street, but it will be interesting to see in due course whether his successors are content to fall in with it, rather than to do as most others have done before. The incentive to remove van-loads of papers from Number 10 at the end of a Government should not arise from a concern that, if papers were left, the writing of profitable memoirs would be more difficult,[47] with resort only to fallible memories: for, as will be seen shortly, former Prime Ministers (and, indeed, all other Ministers) can see their official papers after resignation, although under controlled conditions. Rather, the incentive consists in having physical possession of the actual papers, so that they can be donated to a library,[48] or be kept for financial gain,[49] or even perhaps to keep them from inquisitive researchers.[50] It may take more than a statement of intent from a Prime Minister to achieve what formal resolutions of Cabinets and the efforts of the Cabinet Office have failed to do.

The position regarding the disposal of papers when the whole Government is to leave office is governed by an unhelpful statement in *Questions of Procedure for Ministers*.[51] On that event, the document states that "the outgoing Prime Minister issues special instructions about the disposal of Cabinet papers of the outgoing Administration." There is, again, ambiguity in the use of the phrase "Cabinet papers".

The only other guidance about surrendering papers which can be obtained from *Questions of Procedure for Ministers* is the comment[52] that some Ministers have thought it wise to make provision in their wills against the improper disposal of any official or government documents which they might have retained "by oversight". Again, that comment presumably was not aimed at former Prime Ministers (or no such convention as Mr. Major referred to could have existed). But the comment underlines the hope that no state papers will be in the possession of ex-Ministers or their estates.

Former Ministers will often wish to see state papers when writing their memoirs.[53] To help them, *Questions of Procedure for Ministers* states:[54]

> Former Ministers may at any time have access in the Cabinet Office to copies of Cabinet or Ministerial Committee papers issued to them while in office.

This access is enjoyed "in the Cabinet Office": according to that conventional rule, such papers cannot be removed from there. Yet exceptions have been made. Two former Prime Ministers, Sir Edward Heath and Lady Thatcher, have been allowed to take such papers home for consultation while writing their memoirs, and to return them in due course. In Lady Thatcher's case (and possibly in Sir Edward's) the papers were mainly those issued while a Minister, rather than while as Prime Minister. She took her prime ministerial papers with her when she resigned in November 1990, under the practice identified publicly five years later by her successor.

Research assistants (in firm ex-PMs)?

Separate conventional rules protect the papers of previous Governments from the prying eyes of their successors.[55] None of these rules is contained in *Questions of Procedure for Ministers*. They are not directly relevant here, but they may be shortly summarized in this way. (*a*) Ministers may not see the Cabinet papers of an earlier Government of a different party (thus preventing the use of them to make party capital); (*b*) Ministers may normally see the papers of a previous Government of the same party, provided that the need arises from normal ministerial duties; and (*c*) in any case the Prime Minister seeks the approval of the former Prime Minister concerned (or, if he is not available, the current leader of the relevant party) for access to such papers. No definition is available of exactly what is encompassed in the expression "Cabinet papers".[56] Clearly, for such a scheme to work, the papers must be within official possession, and must not have not been taken away by departing Ministers.

Not needed

III. THE LEGAL FRAMEWORK

I want now to leave conventional rules aside and to consider two matters of law which are relevant to the control of state papers, namely, copyright and ownership. Matters of enforcement of those, and other, legal

rights will be examined later.[57]

A. Copyright

Because the law of copyright has not remained static, when considering the copyright rules in relation to a given state paper it is necessary to apply the copyright law which applied when it was written.[58] A document written in, say, 1910 will be subject to different copyright rules than one written in 1960; and, of course, copyright does not in any case last indefinitely. I am going to consider the law as it exists now, and which is contained in the Copyright, Designs and Patents Act 1988.

Section 163 of that Act provides that where a work is made by Her Majesty or by an officer or servant of the Crown in the course of his duties, then the work qualifies for copyright protection, and Her Majesty is the first owner of any copyright in the work. The resulting protection, Crown copyright,[59] continues to subsist for 125 years after the work was made.[60] Crown copyright covers all the state papers which a Minister is likely to create as a consequence of office during his or her tenure.[61] The word "work" is defined in the 1988 Act;[62] and all of a Minister's writings fall within the scope of a literary work as recognized by the statute, which in this context simply means any work which is written.[63] Thus, for instance, a letter, memorandum or parliamentary speech written by or for a Minister is plainly a literary work.[64] Anyone holding ministerial office, from the Prime Minister down to the least important Parliamentary Under-Secretary of State, is a servant of the Crown, and indeed holds appointment at the pleasure of the Crown.[65] All civil servants in the Minister's department, being Crown servants, are within the scope of section 163. The state papers which a Minister or official will create are obviously created within the course of his or her duties. Section 163 displaces the ordinary copyright rule which vests copyright in the person who (for example) writes a document; but it applies the rule that copyright in work created in the course of a person's employment vests, in the absence of any agreement to the contrary, in that person's employer.[66] When a Minister's creativity results in a parliamentary Bill, however, that Bill (along with documents created by or under the direction of either House) attracts parliamentary copyright, to which a different copyright period applies,[67] and Crown

copyright does not subsist in it.[68] Nevertheless, preparatory work done by a Minister on, for example, what becomes a Government Bill or a House of Commons or House of Lords Paper, remains covered by Crown copyright.

As a result, the subsisting Crown copyright in any state paper can be enforced by the Crown, regardless of whether the paper is in a particular Minister's possession, or is stored in the Cabinet Office or other government depository, or is in the custody of an ex-Minister who has deliberately or inadvertently removed it contrary to the conventional rules, or wherever else the paper may be.[69] Copyright, in other words, is separate from ownership or possession. That fact allowed the Crown to retain its copyright in the state papers which it gave to Churchill College in 1995.[70] As with any copyright owner, the Crown can license reproduction of copyright material, as provided in the Copyright, Designs and Patents Act 1988.[71]

Part of the accumulation of documents which a Minister makes while in office will consist of documents sent *to* him or her in the course of his or her duties. Copyright in them follows the normal rule, that is, that copyright remains with the creator of the work. So a letter or other document sent to a Minister in such circumstances is protected by copyright owned by the writer.[72]

B. Ownership

A connected legal issue concerns the ownership of state papers. As a general principle, the owner of a document (as with any other thing) remains the owner of it unless he or she disposes of it, or unless there is an agreement to the contrary. So, for example, a person who writes a letter owns it, but is taken to dispose of it by passing the property in it to the receiver of the letter[73] (although the writer retains copyright in it). So (in the inadequate title of this article), who *owns* state papers?

There is no reason to depart from the general rule about the ownership of the medium on which information is recorded by an employee, namely, that as that medium will generally be supplied by the employer

at his or her expense, that medium (paper, for example) remains the property of the employer. So the Crown remains the owner of the physical medium on which a Minister or civil servant records information during the course of official duties. It is unlikely that any agreement could be inferred from the relationship between the Crown and Ministers or civil servants which would transfer ownership of paper, used in their work, to individual Ministers or officials, and indeed there is clear evidence to the contrary which will be referred to shortly. Of course, as owner the Crown can sell or give away its property, as it did, for instance, when it gave the state papers in the Churchill archive to Churchill College. In the absence of any sale, gift, or other agreement, the Crown as owner of the paper could pursue an action to protect its rights as against Ministers and others.[74] Of course, if a Minister or civil servant uses his or her *own* paper or other means for the production of a document in the course of official duties, ownership of that paper would remain vested in the writer (although the copyright would vest in the Crown).

It is clear from the parliamentary answer, examined earlier, which set out a definition of state papers that the Government is firmly (and rightly) of the view that the Crown owns state papers.[75] That has been reinforced by the Prime Minister, who was asked[76] to make a statement about the ownership of top copies of his speeches,[77] and of treaty agreements signed by him as Prime Minister, and also of the original copies of (i) letters received by him from the Queen, (ii) correspondence or other communications received by him from heads of government, and (iii) correspondence, minutes, records of meetings or other documents and communications with or in relation to or from Ministers or public bodies. Mr. Major replied that papers in all those categories belonged to the Crown, with the exception of top copies of his speeches made in a personal capacity or as a Member of Parliament, and correspondence of a purely personal nature. In giving that answer, Mr. Major confirmed the Government's view that state papers are the Crown's property, and implicitly rejected Churchill's own view expressed at the end of the wartime coalition that some such papers were the personal property of the authors.[78] That state papers are the property of the Crown is a view which has been taken consistently by senior officials down the years. It was held by, for instance, Sir Maurice Sankey in 1934;[79] it was also subscribed to publicly by Lord Hunt of Tanworth when he wrote that "In law, all Government records - past and present - are the property of the Crown: ...".[80]

IV. SOME TECHNOLOGICAL MATTERS

Before the invention of the typewriter, Ministers wrote their papers in their own hand, or papers were written on their instruction by secretaries. If a copy was wanted, it had to be made by hand. The typewriter made life rather easier: Winston Churchill, for instance, dictated his papers to a shorthand-typist, and then revised the typescript which was presented to him; a few carbon copies could be made as the original was typed.[81] Other Ministers have written some drafts of papers themselves in their own hand, leaving it to secretaries to transcribe them; more recently, some Ministers have used dictation machines. A few Ministers now write on to a personal computer, and nearly all ministerial papers (other than handwritten notes or drafts) are now generated through computers. And for decades the photocopier has made reproduction of documents very easy. What effect have these developing means of recording and reproducing information had on the control of state papers?

When the sale of the Churchill archive was announced some commentators queried whether extensive use of state-of-the-art photocopiers could have saved the taxpayer a large sum. The argument ran that, provided that a comprehensive and accurate photocopy was made of all the papers in the Churchill archive, and provided that the photocopy (or photocopies of it) were kept safe and available for consultation, the originals could have been sold to the highest bidder, whether from the United Kingdom or overseas. To that suggestion there were, however, objections. Some people advanced the cultural or heritage argument: would not generations of people in this country want to be able to see the originals of really significant material, such as the texts from which Churchill addressed the nation at its finest hour? Others advanced the cautious historian's objection: could we be sure that everything had been copied without selection? And others (including the Churchill trustees) pointed out practical difficulties: how long would it take to photocopy 1.5 million pieces of paper, weighing 15 tons? Of course, Churchill and his papers were unique, but technological change is increasingly relevant to the custody and control of contemporary state papers. Obviously, multiple copies can be made of every document which a Minister or civil servant creates and receives, including those that are handwritten, and assuming that comprehensive departmental files are kept of them a complete official archive will exist when the writer leaves

a department. It is also true that any Minister could photocopy (or cause to be photocopied) every document which came into his or her possession and, while obeying the letter of the conventional rules about the disposition of the originals on departing from office, could take away a complete set of papers. When documents are created on computer, information so recorded is stored on the computer's hard disk from which an infinite number of copies can be made, both on floppy disks and as hard copies printed from the disks. Indeed, through the use of a scanner, a paper - of which only one typewritten copy may exist - can be read into a computer memory, so that multiple copies can be printed at will, and so that the computer version can be indexed and linked to other documents to which the computer memory has access. Access to that paper, or desired parts of it, and cross-referencing to other documents, is then very easy.[82] Yet although matters have come a very long way since the use of a manual typewriter, the conventional and legal régime governing the safe-keeping of state papers is still constructed by reference to that long-gone age. There is little sign of obligations about the control of official documents being cast on Ministers in modern technological terms. The first officially-published version of *Questions of Procedure for Ministers* was released only three years ago, and yet the inference from it is that official papers will exist only as typewritten or printed hard copies, and perhaps photocopies, which is not the case. Indeed, the injunction in *Questions of Procedure for Ministers* that Ministers should destroy certain papers on resignation (rather than, as formerly, return them to the Cabinet Office) may stem from the confidence that multiple copies exist safely in official hands.

In purely practical terms it cannot matter today whether ex-Ministers take away state papers which were in their possession when they leave office. Provided that wholly accurate photocopies are left behind, or the "originals" are left and only photocopies of them are removed, or the documents remain on departmental computer files, what does the state or nation lose? The files are intact for Ministers' successors, and later on for researchers and interested members of the public.[83] The reason for the conventional rule which originally required Ministers to leave behind in their departments papers needed for current administration, and to ensure that all the rest went to the Cabinet Office,[84] at least in part must have sprung from the need to maintain a complete archive. But that reason withers away as technology advances. That Ministers are constrained by conventional rules approved by the Prime Minister of the day and by rules of law (such as Crown copyright) is explicable no longer only in terms of securing the safety of state documents, but also as a manifestation of

the culture of secrecy which still permeates Whitehall. Those rules must now exist primarily to ensure confidentiality of information recorded in state papers. The rules, and the legal remedies which are available to ensure compliance with them, may be said to have more to do with preventing former Crown servants from disseminating official information than with ensuring the completeness of state archives.

V. REMEDIES

Civil servants owe their duty to the Crown as represented by current Ministers. Their obligation of confidence stems from that duty: they are required not to misuse information which they acquire in the course of their duties or to disclose information which is held in confidence within government.[85] Confidentiality could also be an implied term of any contract of their employment.[86] Legal action has been taken against former civil servants, notably Clive Ponting[87] and Peter Wright,[88] and was contemplated against Cathy Massiter[89] for alleged misuse of official information. But there has been a marked reluctance to pursue former Ministers. (The remedy for misbehaviour of Ministers while in office is dismissal or resignation - a very potent deterrent and penalty for the politically ambitious.) With the exception of the unsuccessful attempt to stop the publication of the uncensored Crossman Diaries, ex-Ministers have in effect been immune from attempts to use the law to keep them within conventional and legal rules which are designed to prevent publication of information obtained while they were in office.[90] One reason for this ministerial immunity may flow from the tacit condonation of the routine leaking which all Ministers carry out for their own purposes while in office; for it would be a bit rich for Ministers to try to prevent further leaking after ministerial colleagues had left office while they themselves practise it daily while in government.[91] Another reason may be that the conventional regime has lacked teeth, as the Crossman Diaries saga, and the publication of some former Ministers' memoirs in defiance of the Radcliffe guidelines,[92] have shown. And the former convention[93] that ex-Ministers must seek the Prime Minister's permission before referring in public to Cabinet discussions in order to explain their resignations has disappeared, simply because too many ex-Ministers have not followed it.[94] A Minister can take papers away on resignation in breach of the conventions, confident that no legal action will follow. Former

Ministers might also think, with some justification, that their former ministerial colleagues, and their successors, will prefer to take no action of any kind, for fear of inviting accusations of hypocrisy, or of trying to keep the lid on the workings of Westminster and Whitehall despite living in an officially-proclaimed era of open government.[95] The only alternative would be to resort to the law (or to threaten to do so): and it is easy to appreciate that Ministers would much prefer, for those same reasons, not to do so against former colleagues unless it was unavoidable. And yet a battery of legal remedies is in place which could circumscribe what ex-Ministers, as well as former civil servants, do with state papers which have been removed improperly, and with information which they acquired while in Crown service.

Given that the Crown owns state papers, the unauthorized removal of any such papers could amount to theft.[96] Much would turn on whether dishonesty could be proved, and in considering that question a jury[97] might be swayed by the ex-Minister's or ex-civil servant's motive in removing the material. A jury might be more prepared to find dishonesty in an ex-Minister who took documents in order to make money, and perhaps might be less prepared to do so if he or she wished to use them in order to whistleblow on wrongdoing. A prosecution could also result from any breach of the Official Secrets Act 1989 by a former Minister or civil servant. Suppose that a resigning Minister or official took files away which contained information the disclosure of which the Act seeks to prevent.[98] Now the Act (so far as relevant here) permits disclosure of such information by a Crown servant "if, and only if, it is made in accordance with his official duty", and such disclosure constitutes a defence under the Act.[99] Those provisions, however, apply to a Minister or civil servant *in office*:[100] a *former* Minister or official is no longer a Crown servant and has no official duty by virtue of which he or she could lawfully disclose information acquired while in government. Indeed, the Act refers in places[101] to disclosure by a person "who is or has been a Crown servant", and where it does so an ex-Minister or former official would clearly be at risk of prosecution for disclosure in appropriate cases. So if a former Minister or official were to publish the papers which he or she had removed, or were to publish the information contained in them, when disclosure was prohibited by the Official Secrets Act 1989, he or she would be liable to prosecution.[102] Moreover, the Act creates offences relating to the safeguarding of information.[103] For example, a Minister or civil servant who has in his or her possession any document or other article which it would be an offence to disclose commits an offence if he or she retains it contrary to his

or her official duty.[104] The essence of that is what is meant by retention contrary to official duty: but it seems clear on the face of it that a resigning Minister who takes away documents containing protected information commits this offence.[105] That is a powerful incentive not to remove state papers which contain information protected by the Official Secrets Act 1989, and the Act may provide an indirect way of ensuring compliance with official rules about state papers. Any prosecution under the Official Secrets Act 1989 has to be conducted by the Attorney-General or with his consent.[106]

What of the civil law? The Crown could enforce its rights to ownership of a state paper which had been taken away by a resigning Minister or civil servant through an action in conversion.[107] Crown copyright could be protected by using the remedies provided by the Copyright, Designs and Patents Act 1988,[108] provided, of course, that the paper was published wrongfully rather than just retained privately. Breach of copyright would be more difficult (though not impossible) to prove if the former Crown servant incorporated the gist of Crown copyright documents indirectly in published memoirs rather than publishing verbatim extracts. An action based on breach of confidence (to which breach of copyright may also be relevant) requires fuller consideration.[109]

The Crossman Diaries and *Spycatcher* cases proved to be unsuccessful endeavours by the Crown to stop publication of official information by, respectively, a former Minister (and later his literary executors) and a former civil servant, Peter Wright. The books *Diaries of a Cabinet Minister* and *Spycatcher* were published unabridged, despite the Attorney-General's best efforts to prevent this happening.[110] And yet those cases did fashion remedies which, in certain circumstances, could be used against a former Minister or former civil servant who declined on leaving office to follow instructions about the disposal of state papers which were in his or her possession. It is not necessary to analyse in any detail *Attorney-General* v. *Jonathan Cape Ltd.*[111] or *Attorney-General* v. *Guardian Newspapers Ltd. (No. 2).*[112] Those cases establish the rule that an action based on breach of confidence could lie against an ex-Minister or ex-civil servant to restrain the publication of state papers, or information from them, which had been obtained in the course of official duties. To succeed, the Government would have to prove both that the former Minister's or civil servant's conduct in relation to

the papers was in breach of confidence, *and* that the publication was contrary to the public interest. The information contained in the papers must be confidential - as much unpublished material contained in state papers would be -and the court would have to be satisfied in addition that it would be in the public interest to restrain publication of those secrets. The Government failed in both the Crossman Diaries and *Spycatcher* cases because the confidential nature of the material had ceased to exist by the time a final remedy was sought.[113]

If all possible damage to the Crown's interests has already taken place through publication, no restraining injunction will be imposed. The Crown will not obtain a remedy for breach of confidence just in order to further official secrecy. In an action between private parties proof of a publication in breach of confidence is enough. But, as Lord Keith put it in the *Spycatcher* case,[114] "The Crown ... as representing the nation as a whole, has no private life or feelings capable of being hurt by the disclosure of confidential information."[115] The Crown would have to show that, for example, publication in breach of confidence of information not already published would harm the public interest because it would prejudice national security, or because it might endanger the life of a serving intelligence officer. By contrast, if the papers, for instance, merely traced the way in which a policy idea developed within a department, and then went through a Ministerial Committee and then through the Cabinet, an action for breach of confidence would probably not, without more, lie. Such a "public domain" defence does not, however, defeat an action for breach of copyright. In the *Spycatcher* case Lords Keith, Brightman and Griffiths were of the opinion that neither Peter Wright nor his publishers had an *enforceable* copyright in the book because of Wright's wrongdoing, but that Wright held any copyright on constructive trust for the Crown.[116] If that is correct,[117] an ex-Minister or ex-civil servant who reproduced state papers improperly might be pursued through an action for breach of copyright in which the public domain defence would be of no avail. His or her only defence in such an action would be that it was in the public interest that the documents be published.[118] Clearly, the disseminator's motive would be material: genuine whistleblowing to expose iniquity would be one thing, removal and publication purely for gain quite another.[119] The Crown might also wish to prevent a former Minister or civil servant from profiting from the improper use of state papers. As in the *Spycatcher* case, this could be done by seeking an account of profits flowing from the breach of confidence, and it is clear that such a remedy could be obtained if, for instance, the papers were sold to the highest bidder, or were reproduced in breach of confidence or copyright.[120]

It would be objectionable if these legal remedies were to be used like a blunderbuss to protect the state's papers and intellectual property against any alleged misuse. The courts are now alive to the issues of free speech and freedom of information in cases like *Spycatcher*; and indeed the Government has now burned its fingers twice in high-profile cases while trying to prevent official information from being published. Perhaps resort may be had to the law in future only in extreme circumstances. A major restraint on a Government which contemplated going to law ought to be the derision which it would invite if the information which it was seeking to keep secret was innocuous, or was already in the public domain, although an action for an account of profits might be justifiable if it were the principal remedy sought to recover for the Crown its financial due. It should also be borne in mind that most (though certainly not all) Ministers and ex-Ministers keep within official guidelines about state papers, and do so not through fear of court action against them, but through a desire to do the "right" thing, and through loyalty to their colleagues and former colleagues. In cases in which those restraints give way, however, the law provides a range of remedies the use of which will be tempered only by the political repercussions of using them. Ministers might form the view in a given case that legal rights should not be pursued - and the Attorney-General may properly take account of any such view.[121] Ministers might even change the non-legal rules: the framework of conventional rules can be changed at will and at any time by the Prime Minister, as, in relation to state papers, both Winston Churchill and John Major have shown.

VI. CONCLUSION

On leaving office each President of the United States is now legally obliged to donate his presidential papers to the nation. No payment is made, and indeed no public money is used to build a library in which to house them (although they can be stored without charge in the National Archives in Washington). The public has the right of access to such presidential papers, and of course more generally to information under the Freedom of Information Act. Things are ordered very differently in this country. Outgoing Prime Ministers have been able to remove copies of all the documents they wish, and to dispose of them as they please - even for private profit

without any compensation to the state in whose service the papers were generated. (Whether this will stop after Mr. Major's recent initiative[22] we can only wait and see.) Former Ministers are enjoined not to remove any state papers, most of which will be kept hidden away in official custody until they are released decades later under the Public Records Acts. Attempts are made to ensure that literary accounts of government service are published only after they have been censored. And those attempts can now be reinforced by the implicit threat of prosecution, in certain circumstances, under the Official Secrets Act 1989, a development which has not been generally recognized so far.

What can the state legitimately demand of its former servants in their treatment of state papers and the publication of information? Continuity of efficient government certainly requires the maintenance of complete official records, which developing technology will easily provide almost without the need for controls on what an individual does with state papers on leaving public service. Frank exchanges of views and advice within government might be said to require restraint on the publication of accounts of such exchanges, but given the many detailed descriptions which have been published within very short times of them taking place, and without the heavens falling as a result, perhaps rather too much has been made of that justification for censorship. Of course, essential secrets about vital matters must be kept secret. What, then, can citizens legitimately expect of their former servants? Perhaps accountability is the wrong word, but at least interested citizens will want to read *accounts* of public service. Although some dissimulation is inevitable in political memoirs, that is no reason to dismiss such accounts as being of no public importance; and authors should be enabled to get their *facts* right -which requires access by them to information which they had while they were in public service. More fundamentally, citizens have a prima facie right to information acquired on their behalf by Crown servants, and that means both that censorship must be kept to a minimum and that as many state papers as possible should be put in the public domain as soon as possible. The conventional and legal rules governing all those matters do not incontrovertibly recognize the legitimate demands of the state and the nation.

Footnotes

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1. The papers were bought on behalf of the specially-constituted Sir Winston Churchill Archive Trust. The papers can now be resold only with the consent of the trustees of the National Heritage Memorial Fund and of the Charity Commissioners or the courts. See the Prime Minister's explanation at 261 H.C. Deb. col. *24* w (6 June 1995).

2. The action had been started in 1993 between the Government and the Churchill Trustees. The Attorney-General sought a declaration that the "relevant state papers" in the archive were the property of the Crown and should be delivered up.

3. 258 H.C. Deb. col. 978 (27 April 1995).

4. *Ibid.*

5. 259 H.C. Deb. col. *283* w (4 May 1995).

6. Mr. Tony Benn has told me that he received 1,800 different Cabinet and Cabinet committee documents in one year alone as a Cabinet Minister in the late 1970s.

7. These were previously referred to as Cabinet committees, the change in nomenclature having been made officially to underline the fact that non-Cabinet Ministers are regularly full members of such committees.

8. There is nothing in the description of the administrative system as set out in the Act which itself throws light on the type of document which is to be preserved. For a description of current practice within departments in relation to transferring records to the Public Record Office, see *Open Government*, Cm. 2290 (1993), ch. 9.

9. Section 10(1) and First Schedule.

10. "Records" includes not only written records, but records conveying information by any other means whatsoever: 1958 Act, s. 10(1). The Public Records Act 1967 amends the 1958 statute, but in no sense that is material here.

11. The section notoriously created 2,324 offences (see *Report of the Committee on Section 2 of the Official Secrets Act 1911*, Cmnd. 5104 (1972), vol. 2, p. 262). It protected notes and documents made or obtained in contravention of the Act, or which had been entrusted in confidence to the defendant by any person holding office under the Crown or which had been obtained owing to the defendant's position as a person who holds or had held office under the Crown. But the phrase "notes or documents" was not defined. Section 2 of the 1911 Act was repealed by the Official Secrets Act 1989, s. 16(4).

12. 1989 Act, s. 12(1).

13. In any case, Ministers are permitted under the 1989 Act to provide lawful authority for disclosure of such information in accordance with their official duty: ibid., s. 7(1). That point will be returned to later when considering that Act more generally: see below, section V.

14. [1976] Q.B. 752.

15. See especially *ibid.* at 764-765, 767-768.

16. 86 H.L. Deb. col. 527 (21 December 1932).

17. [1976] Q.B. 752 at 766.

18. Cabinet Office, 1992. Each Prime Minister issues that document, revised as he or she wishes, to new Ministers, and it amounts to a rule book for Ministers.

19. *Op. cit.*, respectively paras. 14, 15, 6, 10, 12.

20. 259 H.C. Deb. col. 566 w (11 May 1995).

21. The very next question asked the Parliamentary Secretary, Lord Chancellor's Department, in what circumstances state papers may be held in private hands. He replied that such papers were normally held by the Crown, although in very rare circumstances they might be held in private hands, normally only when permission exceptionally had been given to a former Minister or public servant to retain possession of them.

22. A document written by officials for a Minister for use in his or her official duties must be within the notion of a state paper, just as if the Minister had written it personally.

23. An Official Committee is made up entirely of civil servants.

24. See the last sentence of his answer, given above at the text associated with note 20.

25. That approach has been reinforced by the recommendations of the Nolan Committee, which recommends that reliance should continue to be placed on non-statutory requirements to uphold official

good conduct: see *First Report of the Committee on Standards in Public Life*, Cm. 2850 (1995), *passim*.

26. There are, however, legal rules as well: they will be examined below in sections III and V.

27. See generally Lord Hankey, *Diplomacy by Conference: Studies in Public Affairs 1920 - 1946* (1946), pp. 52, 62-69.

28. Sir Ivor Jennings, *Cabinet Government* (3rd ed., 1959), p. 273.

29. Lloyd George's wish to use his papers eventually to write lucrative war memoirs must have been a factor in that decision.

30. Jennings, *op. cit.*, p. 273.

31. Churchill told the Cabinet Office that he had executed a deed governing the custody of his papers after his death.

32. It should be recalled that Churchill was in poor financial shape for most of his life, and had to be bailed out by well-wishers from time to time: see David Cannadine, *Aspects of Aristocracy: Grandeur and Decline in Modern Britain* (1994), pp. 143-150.

33. Sir Winston Churchill, *The Second World War* (1951), vol. vi, p. 644.

34. "Cabinet Procedure", C.P. (45) 99 (8 August 1945).

35. See Peter Hennessy, *Cabinet* (1986), p. 11. Hennessy sets out the 1952 version of *Questions of Procedure for Ministers*, of which paragraph 18 is relevant here.

36. He wrote no account of his 1951 Government.

37. *Op. cit.*, note 18 above, para. 14. Because the document is written for the guidance of Ministers, there is nothing in it about civil servants' obligations in relation to state papers.

38. The rest of para. 14 will be considered below: see note 54 and associated text.

39. Letter to me from Sir Robin Butler of 3 July 1995.

40. Letter to me from Sir Robin Butler of 2 August 1995.

41. See his "Access to a Previous Government's Papers" [1982] P.L. 514.

42. *Ibid.*, p. 517. For access to the papers of a Government of another party, see below note 55 and associated text.

43. 259 H.C. Deb. col. *281* w (4 May 1995).

44. Letter to me from Sir Robin Butler of 3 July 1995.

45. Lady Thatcher did as most of her predecessors had done and removed copies of her prime ministerial papers when she left No. 10 in 1990. They would undoubtedly be worth millions of pounds on the open market, if she were at liberty to sell them - on which see below sections III and V.

46. 259 H.C. Deb. col. *281* w (4 May 1995).

47. Since 1918 all 14 retired Prime Ministers have published autobiographical accounts except Bonar Law

and Chamberlain (who both died soon after their resignations), Baldwin, MacDonald, Attlee, and Sir Edward Heath (who is still working on his).

48. As did, *e.g.*, Clement Attlee (to University College, Oxford), Winston Churchill (post-1945, to Churchill College), and Sir Anthony Eden (to the University of Birmingham).

49. As with Churchill's pre-1945 papers, and Lloyd George (some of whose papers were sold by his widow in 1951 to Lord Beaverbrook, who donated them to the House of Lords Library).

50. The most notorious example comes from the United States, in Richard Nixon's attempts to keep his presidential papers (including the notorious tapes) secret after his resignation.

51. *Op. cit.*, note 18 above, para. 15.

52. *Op. cit.*, para. 16.

53. The limitations, or purported limitations, on the publication of ministerial memoirs are not of direct relevance here. The guidelines in the Radcliffe report (*Report of the Committee of Privy Counsellors on Ministerial Memoirs*, Cmnd. 6386 (1976)) do, however, impose restrictions on the information which former Ministers may properly publish: see below, section V.

54. *Op. cit.*, note 18 above, para. 14.

55. They were explained by Lord Hunt of Tanworth (see above, note 41).

56. Some specified types of paper are excluded from the rules, and may be seen freely, such as papers which are in the public domain: see Lord Hunt, *op. cit.*, p. 516.

57. See below, section V.

58. Copyright has been protected by legislation which went back to the eighteenth century, most of which was consolidated in the Copyright Act 1911. In its turn that Act was replaced by the Copyright Act 1956; the governing statute is now the Copyright, Designs and Patents Act 1988.

59. 1988 Act, s. 163(2). Crown copyright was enshrined in statute long before that Act, which altered, and indeed cut down, the scope of such copyright.

60. 1988 Act, s. 163(3)(*a*).

61. Using the term state papers as defined by the Government: see above, note 20 and associated text.

62. See especially the 1988 Act, s. 3(1).

63. 1988 Act, s. 3(1); the expression can also apply to a table or compilation, and to a computer programme: *ibid.*

64. See, *e.g.*, *British Oxygen Co. Ltd.* v. *Liquid Air Ltd.* [1925] Ch. 383.

65. For the purposes of the 1988 Act, the Crown includes the Crown in right of Her Majesty's Government in Northern Ireland or in any country outside the United Kingdom to which the Crown copyright provisions of the Act applies, and to the Channel Islands, the Isle of Man, and any colony, if those provisions are extended to any of them by Order in Council: 1988 Act, s. 157.

66. See, *e.g.*, 1988 Act, s. 11(2) (employer is the first owner of work made by an employee in the course of employment).

67. 1988 Act, ss. 165, 166.

68. 1988 Act, s. 163(6).

69. The methods of enforcement are all considered together below, in section V.

70. See the reply by the Secretary of State for National Heritage at 259 H.C. Deb. col. *169-170* w (2 May 1995). Copyright in the personal papers in that archive remains in the Churchill trustees: see the same Secretary of State at 259 H.C. Deb. col. *327* w (5 May 1995).

71. The owners of the copyright in the personal papers in the Churchill archive have granted such a licence, as has the Crown in relation to the state papers in it: see the answer by the Secretary of State for National Heritage at 259 H.C. Deb. col. *326* w (5 May 1995), and by the Prime Minister at 259 H.C. Deb. col. *283* w (4 May 1995).

72. See also section 48 of the 1988 Act, which allows the Crown to issue copies of works communicated to the Crown (which includes a Minister) in the course of public business, by or with the licence of the copyright owner.

73. See, *e.g.*, *Oliver* v. *Oliver* (1861) 11 C.B. (N.S.) 139.

74. On that, see section V below.

75. It will be recalled that, having set out the Government's view of what constitutes a state paper, the Parliamentary Secretary, Lord Chancellor's Department, went on to query whether "the Crown could claim ownership of any other class of papers", so making it clear that the Crown owns state papers: see above, note 20 and associated text.

76. 259 H.C. Deb. col. *128* w (2 May 1995).

77. That specific query was no doubt prompted by the presence in the Churchill papers of top copies of Churchill's famous wartime speeches.

78. See above, note 33 and associated text.

79. See above, note 30 and associated text.

80. "Access to a Previous Government's Papers" [1982] P.L. 514 at 515.

81. Martin Gilbert, *Road to Victory: Winston S. Churchill 1941-1945* (1986), p. 372.

82. At the moment this technique cannot be used reliably with handwritten documents because of the variation in the characters, even when written by the same person.

83. Admittedly this would not meet the aesthetic or heritage point that there might be an interest in having access to the "original" version, although what is the original version, apart from anything in handwriting, may be a moot point these days.

84. Later (and currently) to make sure that non-current papers are destroyed: see above, note 37 and associated text.

85. *Civil Service Management Code* (1993), principle 4.1.3.

86. As to whether such contracts exist, see Sandra Fredman and Gillian Morris, "Civil Servants: A Contract of Employment?" [1988] P.L. 58 and "Judicial Review and Civil Servants: Contracts of Employment Declared to Exist" [1991] P.L. 485.

87. *R.* v. *Ponting* [1985] Crim. L.R. 318.

88. *Attorney-General* v. *Guardian Newspapers Ltd.* [1990] 1 A.C. 109.

89. Her revelations about some (arguably unlawful) activities of MI5 were made in breach of the Official Secrets Act 1911, s. 2, but her motive was to see proper systems of accountability re-established in the Security Service. The Attorney-General decided not to launch a prosecution.

90. Prosecutions of Ministers for any offence, other than for motoring offences, have been rare. But a recent example was the prosecution in 1995 of Alan Stewart, a junior Scottish Office Minister, for causing a breach of the peace; he resigned from the Government, and was later fined. Edgar Lansbury, the son of George Lansbury (who had been a Minister in the 1929 Labour Cabinet) was prosecuted in 1934 under the Official Secrets Act 1911, s. 2 for publishing memoranda which his father had submitted to the Cabinet. George Lansbury was not charged: see Sir William Anson, *The Law and the Constitution* (4th ed., 1935), vol. 2, p. 122.

91. See Rodney Brazier, "Post-Resignation Explanations" [1990] P.L. 300 at 302-303.

92. Tony Benn, Barbara Castle and Hugh Jenkins refused to submit the manuscripts of their books. James Prior and Francis Pym did not submit their manuscripts for vetting because they believed that their books were outside the Radcliffe guidelines (despite Lord Prior's book being a revealing account of the Thatcher Government). See further Brazier, *op. cit.*, at 305.

93. It is set out by Jennings, *op. cit.*, note 28 above p. 267.

94. Such ex-Ministers include Michael Heseltine and Nigel Lawson: see Brazier, *op. cit.*, p. 302. There is no reference to the convention in *Questions of Procedure for Ministers.*

95. See the White Paper, *Open Government*, Cm. 2290 (1993).

96. Theft Act 1968, s. 1 - the dishonest appropriation of property belonging to another, with the intention of depriving that other of it.

97. For the decision on whether an accused was dishonest is a question of fact for the jury: see, ***e.g.***, ***R.*** v. *Ghosh* [1982] Q.B. 1053.

98. Information so protected is described in the Act, ss. 1 - 4, and concerns security and intelligence, defence, international relations, and crime.

99. 1989 Act, ss. 7(1), 12(1).

100. While in office it would be a bold (but possibly correct) argument that "briefing" by Ministers (the respectable form of leaking) *is* done in accordance with their official duty, because it is the routine practice of governments of both political parties.

101. See 1989 Act, ss. 2(1), 3(1), 4(1).

102. Indeed, that Act could have a linked effect: any former Minister who published a manuscript without submitting it to the Secretary of the Cabinet for vetting in accordance with the Radcliffe guidelines would risk committing an offence if he or she were to make a disclosure which the Act forbade. If a draft were submitted the Secretary would insist that any such information be deleted.

103. 1989 Act, s. 8.

104. *Ibid.*, s. 8(1)(*a*).

105. It is a defence for the Crown servant to prove that he believed that he was acting in accordance with his official duty and had no reasonable cause to believe otherwise: *ibid.*, s, 8(2).

106. 1989 Act, s. 9.

107. Torts (Interference with Goods) Act 1977, ss. 1, 3.

108. These remedies are set out in ss. 96-115. The Act confirms that actions for damages, injunctions, and accounts are available (s. 96), and specifies how enforcement may be sought (ss. 99-100). Criminal offences exist of dealing for gain contrary to copyright (s. 107).

109. See generally Francis Gurry, *Breach of Confidence* (1984); Raymond Wacks, *Personal Information: Privacy and the Law* (1989); David Feldman, *Civil Liberties and Human Rights in England and Wales* (1993), pp. 642-666.

110. After the *Spycatcher case* the law was changed to make it an offence for a member or former member of the security and intelligence services to disclose information relating to security or intelligence: Official Secrets Act 1989, s. 1.

111. [1976] Q.B. 752. On that case, see Hugo Young, *The Crossman Affair* (1976).

112. [1990] 1 A.C 109; (1991) 14 E.H.R.R. 153. On this case, see D.G.T. Williams, "Spycatcher" [1989] C.L.J. 1; Yvonne Cripps, "Breaches of Copyright and Confidence: The Spycatcher Effect" [1989] P.L. 13; Eric Barendt, "Spycatcher and Freedom of Speech" [1989] P.L. 204; Ian Leigh, "Spycatcher in Europe" [1992] P.L. 200; Peter Birks, "A Lifelong Obligation of Confidence" (1989) 105 L.Q.R. 501.

113. The events described in the Crossman Diaries had taken place 10 years earlier, and no issue of national security arose; in *Spycatcher*, the book had already been published around the world, and the contents were no longer confidential - although the House of Lords held that the *Sunday Times* must account for profits in relation to an article which it had published before the book became widely available and which was based on information from Peter Wright which had not been published before.

114. [1990] 1 A.C. 109 at 256.

115. See also *Commonwealth of Australia* v. *John Fairfax & Sons Ltd.* (1980) 32 A.L.R. 485: "It is unacceptable, in our democratic society, that there should be restraint on the publication of information relating to government when the only vice of that information is that it enables the public to discuss, review and criticize government action": *per* Mason J. at 492-493.

116. [1990] 1 A.C. 109 at 262-263, 266, 275-276, 288; and see Cripps, *op. cit*, at 14-15.

117. The Crown had disclaimed any intention of relying on copyright during the hearings, and so the point was not fully argued. In any case, where the publication complained of was of an original literary work made by a former Crown servant, it would be more difficult to trace Crown copyright to it.

118. *Lion Laboratories* v. *Evans* [1985] Q.B. 526.

119. Of course, it might not necessarily be easy to distinguish the two in a particular case.

120. This follows from the *Spycatcher* case, and is a recognized form of remedy: see, *e.g.*, *Peter Pan Manufacturing Corporation* v. *Corsets Silhouette Ltd.* [1964] 1 W.L.R. 96.

121. See J. Ll. J. Edwards, *The Law Officers of the Crown* (1964), chapters 10, 11, and *The Attorney-General: Politics and the Public Interest* (1984), chapter 11. The Attorney-General did not take the

opinion of other Ministers when deciding whether to initiate a prosecution against Clive Ponting in 1985: see 73 H.C. Deb. cols. 737-830 (18 February 1985).

122. See above, note 43 and associated text.

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FOL 10
61

HO95/657

M Carpenter Esq
Treasury Solicitor's Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

21 September 1995

CHURCHILL ARCHIVES - FOLLW-UP

After our meeting with Mr Whittam Smith about copyright in the Churchill Archive we spoke about the work remaining to be done on the reports submitted by Duncan Chalmers and Bill Godwin and agreed that we should aim to get an agreed submission to Sir Robin Butler before I go on leave for three weeks on 20 October.

I was reminded of this when Duncan Chalmers telephoned me this morning so I thought I would put something on paper. I did offer to help if I could but you said you thought there was no alternative to you putting an outline paper together yourself which could be circulated for comment, so this is just, as they say "to remind"!

Incidentally, I was quite startled to hear from Duncan that he has not yet received any payment for the work he did for us in connection with the litigation. He submitted his account under cover of a letter to you dated 23 May 1995. I recall that there was discussion at an early stage about him not receiving payment in the early days of his retirement because of the conditions of his pension/lump sum payment, but that time has now passed. Could you possibly make sure that payment is made soon?

X/

PSA

MISS P M ANDREWS

"Reminded" on 2/10.
MC said he will do
his best but he "
being pressed on Privy Council
matters! He thinks X
should have been sorted
out by now.
PSA 2/10

13.9.95

60

HO95/638

NOTE FOR RECORD

Mr Andreas Whittam Smith, Chairman of the Sir Winston Churchill Archive Trust, came to discuss the Churchill Archive on Wednesday, 13 September 1995. Also present were Michael Carpenter, Treasury Solicitor's Department, Gordon Robbie, HMSO and Miss Nina Veitch.

Mr Whittam Smith explained that the Trust was using some of the money from the grant from the National Heritage Memorial Fund to catalogue and then microfilm the archive but the bulk of the money was being put in reserve for future maintenance of the archive.

Before the Trust had even met he had received a somewhat agressive letter from Messrs Curtis Brown on behalf of the Churchill family saying that, with the backing of the Thomson Organisation (through a firm called PSM), they intended to digitise the archive and put it onto CDROM; for this purpose they required access to the whole archive.

Mr Whittam Smith had replied saying that access to the whole archive could not be given immediately; the Trust had to consider its responsibilities towards the archive and this was not its first priority, in any event it was not established that the Churchill family had the right to copy the whole archive which could only be done with the consent of all the copyright holders.

He said that Peregrine Churchill and Winston Churchill were the prime movers in this and that Peregrine had reacted somewhat agressively to his response. Winston Churchill, on the other hand, had been very calm and reasonable. Mr Whittam Smith is to see Peregrine Churchill on Friday of this week (15 September). He was interested in our views on the question of copyright in advance of this meeting.

Mr Robbie said that we would have no objection in principle to reaching agreement on Crown copyright. However, it went somewhat against the grain to be party to an arrangement which had the effect of providing yet further financial gain for the Churchills and he wondered whether it would be possible for the Trustees themselves to put the archive onto CDROM; this would obviate the need for it to be done simply for the purpose of commercial exploitation and would further benefit Churchill College. Mr Carpenter agreed that this could be done under the provisions of the Copyright legislation. HMG would have no objection to this course. Mr Whittam Smith thought it an interesting idea and agreed to consider it further.

Mr Carpenter pointed out that the Trustees would be in a vulnerable position if they granted access for the purpose of copying without clear evidence of the agreement of the copyright owners of which there were many; this would put them in the position of authorising a copyright infringement. Mr Whittam Smith said that he had become fully aware of this and he intended to take a robust line on the matter; he thought it pretty rich that Curtis Brown had written in terms demanding access when the family owned neither the physical documents nor the copyright. He understood that copyright had been sold to C & T Publications at some stage; he wondered therefore, given the Crown's claim to copyright in a large proportion of the archive, how much family copyright there actually was.

In conclusion we agreed to keep in touch and Mr Whittam Smith said he would let us know if anything material came out of his meeting with Peregrine Churchill.

After Mr Whittam Smith left we discussed the further work being done on the archive at Churchill College and agreed that Miss Veitch would complete her work on Class 8 (the literary papers) but not in as much detail as she had been doing earlier. She would indicate, so far as possible, and in general terms, how much crown copyright material there was in Class 8. We would do no work on Class 9 as the wartime speeches were all to be regarded as crown copyright material. We would do no more work either on Class 2 until such time as it became necessary, if it ever did, to list documents rather than categories of documents. The lists provided Miss Veitch and submitted to Counsel by Mr Carpenter would suffice for the time being.

MISS P M ANDREWS

Historical and Records Section
13 September 1995

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Fax 0171 217 6010

59

Your ref: A930329G/MC
Our ref: HO95/599

M Carpenter Esq
Treasury Solicitor's Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

6 September 1995

Dear Michael

CHURCHILL ARCHIVE

57

Thank you for your letter of 1 September.

Mr Andreas Whittam Smith telephoned yesterday to say that he would call here on Wednesday 13 September at 3 pm to discuss the Churchill family's request to copy the whole of the Churchill Archive.

He was pleased that you and Jim Wretham would also be present and looks forward to meeting us all!

I had checked possible dates and times with Isobel and with Jim so I hope the one chosen will be convenient.

I am copying this letter to Jim Wretham and look forward to seeing you both next Wednesday.

Yours ever

Pat

MISS P M ANDREWS

CABINET OFFICE
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Fax 0171 217 6010

58

HO95/593

A Whittam Smith Esq
31 Brunswick Gardens
London W8 4AW

4 September 1995

Dear Mr Whittam Smith

The Sir Winston Churchill Archive Trust

55

Thank you for your letter of 28 August 1995.

I shall, of course, be very pleased to see you to discuss a request made by the Churchill family to copy the Churchill Archive.

I should like, if I may, to invite a colleague from the Treasury Solicitor's Department and possibly one from HMSO to be present when we meet. Both have a close interest in copyright issues and it may save time in future if they could also hear from you at first hand about the approach from the family.

May I suggest Friday, 8 September, at say 2:30pm, as a possible date and time to meet; alternatively, Wednesday, 13 or Friday 15 September at a time to suit you.

Hepburn House, which is where I am located, is at the end of Marsham Street, on the corner of Vincent Street and almost parallel with the Tate Gallery.

I look forward to hearing further from you.

Yours sincerely

Pat Andrews

MISS P M ANDREWS

57

THE TREASURY SOLICITOR

Queen Anne's Chambers, 28 Broadway, London SW1H 9JS

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Cabinet Office/Office of Public Service Legal Adviser

Miss P M Andrews
Cabinet Office
Historical & Records Section
Hepburn House
Marsham Street
London SW1P 4HW

Please quote: A930329G/MC

Your reference: HO95/577

Date: 1 September 1995

Dear Pat,

Churchill Archive

Thank you for your letter of 31 August. 56

I would be entirely happy to attend any meeting with Mr Whittam Smith and this may be useful in case any technical questions arise. As the licensing of Crown copyright is very much a matter for HMSO, I would suggest that we ought to give Jim Wretham at least the opportunity of being present.

Yours sincerely,
Michael Carpenter

Michael Carpenter

CABINET OFFICE
H 95/6.88/
- 4 SEP 1995
FILING INSTRUCTIONS
FILE No.

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Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 0171 217 6050
Fax 0171 217 6010
(GTN 217)

56

HO95/577

M Carpenter Esq
Treasury Solicitor's Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

31 August 1995

Dear Michael

CHURCHILL ARCHIVE

55

I enclose a copy of letter I have received today from Mr Andreas Whittam Smith, Chairman of the Sir Winston Churchill Archive Trust.

You will see that he wishes to see me shortly to let me know how things are developing in respect of the Churchill family's request to copy the entire Churchill Archive.

Before I reply I wondered if you would wish to accompany me at any meeting and whether we should involve HMSO at this stage. My own feeling is that we might simply let Mr Whittam Smith tell me/us what is happening and involve HMSO at the next stage.

Yours ever

Pat

MISS P M ANDREWS

31 BRUNSWICK GARDENS, LONDON W.8. 4AW
Telephone: 0171-229 0591 Fax: & Messages: 0171-727 6641

55

Miss P.M.Andrews
Cabinet Office
Historical and Records Section

28th August, 1995

Dear Miss Andrews

The Sir Winston Churchill Archive Trust

As chairman of The Sir Winston Churchill Archive Trust, I am writing to say that I would like to call upon you shortly to inform you of the request by the Churchill family to copy the entire Archive.

In response I have pointed out that the Trustees cannot allow such copying without the assent of all the copyright holders having been first obtained, seeing that, under the 1988 Act, the tripwire is copying rather than publication.

As a significant portion of the Archive is Crown copyright, I thought I ought to let you know how matters are developing. I look forward to hearing from you.

Yours sincerely

Andreas Whittam Smith

Andreas WHITTAM SMITH

CABINET OFFICE
H 95/684/1
31 AUG 1995
FILING INSTRUCTIONS
FILE No.

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(GTN 217)

HO95/572

M Carpenter Esq
Treasury Solicitor
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

25 August 1995

Dear Michael

CHURCHILL PAPERS - PRO MICROFILM

Thank you for your letter of 10 August.

I am a bit concerned about not taking any steps to make the microfilm available at the PRO. Might we not be accused of denying researchers at the PRO access to material which is available at Churchill College but much of it is "official". Much of it is, as we know, copied at the PRO anyway, but it is not available as "the Churchill Archive".

Couldn't the PRO make the archive available in the same way as Churchill College is doing - for research only, with the proviso the consent of the copyright owner would have to be sought if there was any copying for commercial purposes? There should then be no problem about Crown Copyright material because the PRO has delegated authority from the Controller, HMSO.

Yours ever

Pat

MISS P M ANDREWS

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Mrs P Andrews
Cabinet Office
Historical & Records Section
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Cabinet Office/Office of Public Service Legal Adviser

FOL 10
53M

C D Chalmers Esq
24 Waldens Park Road
Horsell
Woking
Surrey GU21 4RW

Please quote: A930329G/MC

Your reference:

Date: 16 August 1995

Dear Mr Chalmers

Churchill Archives : follow up

Thank you for your letter of 17 July with its helpful comments. Your letter arrived just as I was going on leave and I am replying in the brief period I am in the office again before the August Bank Holiday.

Rather than address your points in any detail, I hope it is in order simply to circulate them to Pat Andrews and Bill Godwin with a view to assembling comments at the end of August.

With respect to copyright, I note your reference to the position of documents created in the course of official duties. I am reasonably confident that the present position on Crown copyright is in accordance with the Berne and Universal Copyright Conventions, although it is very different from the law in, for example, the United States. Crown copyright works continue to be protected as such in Berne and UCC countries, but I agree that we may need to look more closely at specific contractual provisions.

I am copying this letter with yours to Pat Andrews and to Bill Godwin.

Yours sincerely

P.P. **Michael Carpenter**

CABINET OFFICE
H 9.5/659
17 AUG 1995
FILING INSTRUCTIONS
FILE NO

o/r

CLOSED UNDER THE FREEDOM OF INFORMATION ACT 2000

19 JUL 1995

Michael Carpenter, Esq.,
Treasury Solicitor's Department,
Queen Anne's Chambers,
28 Broadway,
London SW1H 9JS.

cc. Miss P.M.Andrews, Cabinet Office
W.H.Godwin, Esq.

Dear Michael,

CHURCHILL ARCHIVES : FOLLOW UP

Thank you for the copy of your minute of 10 July to Pat Andrews. I am content that the structure set out in Bill Godwin's draft paper of 7 June should be the basis of the submission to Sir Robin Butler. However, if our objects are to be achieved, I feel we should resolve some of the issues which Bill has set out, or at the very least set out the options and their implications more clearly, before the submission goes to Sir Robin Butler so that he gets clear and firm recommendations for action .

Bill has responded to my comments on that draft and has undertaken to consider some redrafting to take account of them. I hope that he will excuse me if I use this letter to you, copied to him and Pat Andrews, to respond to the points made in his minute to you of 14 June. In doing so I refer again to the paragraphs in his draft.

1. Paragraph 1 :

I take Bill's point. My only doubt is whether the 1917 decision established a new convention in respect of the authority of each administration. In the absence of formal Cabinet records before 1916 it is difficult to know ; though it is true that it was only the inception of regular Cabinet records which rendered it unnecessary for former ministers to retain Cabinet documents. Certainly conventions about the use and retention of Cabinet documents existed before 1917 ; and the autonomy of each administration, or each prime minister, appears to have been recognised. Perhaps the penultimate sentence of the paragraph might read 'The first formal recording of the convention by the Cabinet was in 1917 ; since then the rules have been varied on several occasions.'?

2. Paragraph 2 :

Again I take Bill's point, but it would be risky, in view of the problems encountered in the preparation of the Churchill case and the nature of the Churchill Archives and presumably other collections to deal only with Cabinet papers and not departmental and other official ministerial papers. Secondly, so many Cabinet papers start life as departmental papers that to do so would frustrate the purpose of the exercise. This appears to have been recognised in the case of the Callaghan Papers (Annex B).

Paragraph 5 :

The trust deed by Lord Randolph Churchill was indeed drawn up on 8 March 1893 in response to a Foreign Office circular of 6 December 1892 seeking to ensure safe keeping of printed papers circulated inter alia to the Cabinet and their safeguarding after the death of a former minister or senior official. The subsequent treatment of Lord Randolph's papers demonstrates the ineffectiveness of such arrangements.

4. Paragraph 9 :

I accept Bill's distinction between documents sent out in the course of administration and those retained as records and hence agree that there is little between us on custody and creation, though I think that it follows from that distinction that custody also determines status. The difficulty is the status of Cabinet and other official documents retained by ministers and former ministers. Are they akin to documents sent out in the course of administration or to those held as records in the Cabinet Office and departments - or for that matter in the PRO? This is why I laid such stress on custody of ministerial papers and contractual arrangements to control them, not only for purposes of access, in paragraphs 31-34 of my paper on Control over Ministerial Papers.

5. Paragraph 10 :

Bill's comments in paragraph 13 of his minute of 14 June clarify the point, but might usefully be carried forward into the text of the final submission so as to make it clear that these conditions need to form part of the wider conditions accepted by ministers on appointment. If the principle that official documents can only be on loan to ministers can be won, then Bill is probably right that this need not be addressed at this stage. But I believe that this will be difficult to achieve, especially if we go beyond Cabinet documents. It might therefore be safer to leave in some provision for conditional deposit of ministerial papers in institutions, as meeting the legitimate interest of former ministers in preserving publicly a collection of their ministerial papers and discouraging any ideas of future sales of such papers. This would reinforce the Lord Chancellor's role envisaged in Bill Godwin's draft paper.

6. Paragraph 17 :

I am not sure that Bill's suggested amendment does not go too far. I think the Northern Ireland Office and PRONI would regard discretion as being overtaken by current practice, which, as in Scotland, effectively adopts administratively the statutory position in England and Wales. The issue is whether there are safeguards for public records in Northern Ireland which go beyond the position in England and Wales. I do not think this is so.

In paragraph 12 of his minute of 14 June Bill asked about the delegation of the Lord Chancellor's statutory powers. The Public Records Act 1958 divides the statutory supervisory duties and powers between the Lord Chancellor and the Keeper. Until recently the view was taken that the Lord Chancellor could delegate his powers, where appropriate, to officers of his own department but not to PRO officers. When the PRO became an executive agency the Lord Chancellor delegated certain powers to the Keeper and these were outlined in Annex B of its framework document, of which I enclose a copy.

It may be helpful to comment on Annex C to your minute of 10 July, which is a note by Bill Godwin on the legislative position. I have already commented on the question of the constitutional conventions referred to in paragraph 1. I am sure that Bill is right in practice in paragraph 2, though I wonder what the Attorney-General would do about an application for a relator action? In paragraph 9 we can be positive about disposal of records otherwise than by permanent preservation or destruction. There are many classes of such records, in addition to those deposited under section 4(1) of the 1958 Act ; indeed there were under the provisions of the earlier legislation, which in this respect the 1958 Act continued, with the Lord Chancellor replacing the Master of the Rolls as the presenting authority. Incidentally, the institutions to which they have been presented include institutions in Scotland, Northern Ireland and Commonwealth and foreign countries ; and the records extend not only to those of England and Wales but also to those of public record bodies in or exercising functions throughout the United Kingdom and overseas. It might be sensible therefore to remove the reference to the position in England and Wales, particularly when we are concerned primarily with ministerial records which are unlikely to be restricted territorially in their ambit or location.

On the question of copyright (happily your contribution to the submission) doubtless you will have seen discussions of the possible impact of harmonisation of copyright laws, both within the EU and more widely, on the position of documents created in the course of official duties. There seems even to be some question whether the 1988 Copyright Act is in this respect in accord with the international copyright conventions. Either development would threaten Crown copyright which might then require the specific contractual protection that some publishers are increasingly seeking.

I hope that these comments will be of use. If I can be of further asssistance please let me know. I hope that you will by then have the benefit of a relaxing holiday.

With best wishes

Yours sincerely

Duncan

C.D.Chalmers

4. CENTRAL MANAGEMENT AND SERVICES

4.1 To manage, co-ordinate and prioritise the activities of the Office.

4.2 To provide central support services, including those for accommodation, finance, information technology, internal audit, management support, personnel, planning, purchasing and reprographics.

4.3 To attract and keep good staff and to promote their effectiveness by developing their professional expertise and technical competence through appropriate training and career development and good management practice.

4.4 To provide the Office's expertise to other organisations and institutions as appropriate.

Annex B
Powers delegated by the Lord Chancellor

The Lord Chancellor has delegated the following powers, conferred on him by the Public Records Act 1958, to the Keeper and her staff.

1. The giving of approval for the disposal of records not required for permanent preservation (s.3(6)). To be exercised by an official not below Grade 7 level.

2. The appointment of places of deposit of public records (s.4(1)). To be exercised by an official not below Grade 7 level.

3. The giving of approval for the transfer of records, in either direction, between the Office and places of deposit (s.4(3)). To be exercised by an official not below HEO level.

53

THE TREASURY SOLICITOR

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Cabinet Office/Office of Public Service Legal Adviser

Miss P M Andrews
Cabinet Office
Historical and Records Section
Hepburn House, Marsham Street
LONDON SW1P 4HW

Please quote: H095/544

Your reference:

Date: 10 August 1995

Dear Pat,

CHURCHILL PAPERS: PRO MICROFILM

Thank you for your letter of 3 August. 48

Subject to anything the trustees of the Sir Winston Churchill Archives Trust may say, I would advise against resurrecting an issue which has long lain dormant. It is not clear to me whether the microfilm copy made in 1963 was made with the consent of all the copyright owners. The then Churchill Archive Trustees did not own copyright in any of the Archive and could not have given any valid consent to the making of the film, which must therefore be an infringing copy.

I think there must be a risk that the owners of copyright in the personal and literary papers can validly object to the proposed use of the microfilm copy. Nicholas Cox is, of course, right to say that the 'old' trustees would have no concern about making the film available, but this was always so because they did not own the copyright. The only safe course, if the film is to be used, is to establish that all the copyright owners are content. I do wonder whether the time is right for this or whether it would be a sensible exercise.

Yours sincerely,
Michael Carpenter

Michael Carpenter

CABINET OFFICE
H 95/650/1
14 AUG 1995
FILING INSTRUCTIONS
FILE No

CHURCHILL ARCHIVES CENTRE

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KEEPER: PIERS BRENDON, M.A., Ph.D.

FOI 52

Miss P. M. Andrews
Cabinet Office
Historical Records Section
Marsham St.,
London SW1P 4HW

8 August 1995

CABINET OFFICE
H 95/636/...
- 9 AUG 1995
FILING INSTRUCTIONS
FILE No. ----

FOI 50

Dear Pat,

I am extremely grateful to you for your letter of 4 August. I am going to copy it to the Chairman of the Trustees, Andrew Whittam Smith, drawing his attention to the fact that the document is to be 'drawn on', not released to anyone else.

I note that Nina Veitch is coming up soon to do further work on the Crown copyright situation - will welcome her.

Please excuse this hand-written letter - we're having new computers installed.

Yours sincerely, Piers

Patrons: THE COUNTESS OF AVON · LADY MARGARET COLVILLE · THE LORD WOLFSON OF MARYLEBONE, F.B.A.
THE LORD ANNAN, O.B.E. · MR JACK KING, M.A. · THE LADY SOAMES, D.B.E.
THE HON. WALTER ANNENBERG, K.B.E. · THE EARL LLOYD GEORGE OF DWYFOR · SIR KENNETH STOWE, G.C.B., C.V.O.
THE LORD TODD OF TRUMPINGTON, O.M., F.R.S. · MR PEREGRINE CHURCHILL · MR RANDOLPH CHURCHILL

CHURCHILL COLLEGE ARCHIVES TRUST
REGISTERED CHARITY NO. 273633
TRUSTEES: PROFESSOR ALEC BROERS, F.R.S., *Master of Churchill College* · MR WINSTON CHURCHILL, M.P.
MR MICHAEL ALLEN, M.A., *Bursar of Churchill College*

THE TREASURY SOLICITOR
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Pat Andrews
Cabinet Office
Historical & Records Section
Hepburn House
Marsham Street
London SW1

With the Compliments of

FOL 51

THE TREASURY SOLICITOR

Queen Anne's Chambers, 28 Broadway, London SW1H 9JS

Direct Line 0171 210 3450 Direct Fax 0171 210 3503

Cabinet Office/Office of Public Service Legal Adviser

Dr Piers Brendon, MA, PhD
Keeper
Churchill College Archives Centre
Churchill College
Cambridge CB3 OD5

Please quote: A930329G/MC

Your reference:

Date: 7 August 1995

Dear Dr Brendon,

Sir Winston Churchill Archive Trust

FOL 50

Pat Andrews wrote to you on 4 August just before she went on leave to set out the situation as the Crown understood it in relation to Crown copyright in the papers forming the Churchill Archive.

I am afraid that a typing error has been noted in that letter which you may well have noticed already. This concerns the period during which the Copyright Act 1911 remains in force. It did, of course, remain in force until 31 May 1957 until it was replaced by the Copyright Act 1956. The letter you received from Pat Andrews suggested that there might have been a gap between 31 May 1956 and 31 May 1957 which is, of course, not the case.

I hope this makes the situation clear. I am copying this letter to Pat Andrews at the Cabinet Office and to Jim Wretham at HMSO.

Yours sincerely,

Michael Carpenter

Michael Carpenter

CABINET OFFICE
H 95/638
9 AUG 1995
FILING INSTRUCTIONS
FILE No.

CABINET OFFICE
Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 071-217
Facsimile 071-217 6010
(GTN 217)

POLIO SOM

HO95/546

M Carpenter Esq
Treasury Solicitor's Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

4 August 1995

Dear Michael

Churchill Archive - the lessons learnt

You wrote on 10 July enclosing Bill Godwin's first draft of a paper on "follow-up". I meant to respond but have not got round to it and now I am going off for a week. This is just by way of a very quick comment on one or two matters of concern, which I am not at the moment copying to Duncan or Bill. I hope we will be able to take the matter forward when I get back.

I am concerned first that Bill's paper addresses itself almost exclusively to Cabinet Documents. This is not our real concern as these documents are now quite closely guarded. We <u>are</u> concerned about Ministers' documents generally and I think Duncan's view that the main lesson to be learned is to ensure that they are not taken away is the right one. So, my first point is that I think we need a wider-based paper than Bill seems to be proposing - but I may have read it wrongly!

When it comes to former Prime Ministers' papers we shall, I think, as well as stating the position as Annex B does, need to offer some thoughts on what the position might be should any of the others, particularly the Thatcher family, seek to sell the papers and, hopefully, highlight the differences between those papers and the Churchill papers. Also, I think the paper needs to note that the present Prime Minister <u>has</u> changed the 'convention' so that he at least, and hopefully his successors, will take away only papers which are truly personal.

I am afraid this is not a very constructive contribution but I have no time to do any more before I leave!

Yours ever Pat

MISS P M ANDREWS

ROLL 50

CABINET OFFICE
Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 071-217
Facsimile 071-217 6010
(GTN 217)

HO95/548/

Dr Piers Brendon MA PhD
Keeper
Churchill College Archives Centre
Churchill College
Cambridge
CB3 0D5

4 August 1995

Dear Piers

You will recall that when Michael Carpenter, Jim Wretham and I visited you in Cambridge on 7 July we agreed to let you have a letter setting out the situation as we understand it in relation to Crown Copyright in the papers forming the Churchill Archive, now the property of the Sir Winston Churchill Archive Trust.

2 Crown copyright subsists by virtue of statute. The following three separate but related Acts are relevant:-

- Copyright Act 1911, the effective dates of which are 16 December 1911 up to and including 31 May 1956,

- Copyright Act 1956, the effective dates of which are 1 June 1957 up to and including 31 July 1989,

- Copyright and Designs & Patents Act 1988, effective dates 1 August 1989 to date.

The subsistence of copyright under the pre-1988 legislation is preserved by transitional provisions of the 1956 and 1988 Acts, so that works first protected under the 1911 Act may continue to be protected under the current legislation.

3 The terms of protection originally conferred under these acts varies according to whether the documents have been published or not. The following terms apply to **Published Works**:

1911 Act - 50 years from first publication (Section 18)

1956 Act - 50 years from the end of the calendar year in which the work was first published (Section 39(3)(b))

1988 Act - 50 years from the end of the calendar year in which the work was first **commercially** published.

Unpublished work - Crown copyright material enjoyed perpetual protection under both the 1911 and 1956 Acts. In the 1988 Act, however, the question of duration of copyright in **unpublished** Crown copyright works was specifically addressed. The variations are as follows:-

a. 125 years from the end of the calendar year in which the work was made unless the work is published commercially within 75 years of the end of the calendar year in which the work was made. If the work is commercially published within that 75-year period, then the period of protection is 50 years from the end of the calendar year in which it was first published, or

b. 50 years from 31 December 1989 (ie the end of the calendar year in which the 1988 Act came into effect)

whichever is the later.

4 This means, for example, that the unpublished text of a work made by Sir Winston Churchill as Prime Minister in 1940 (eg a draft of a Ministerial speech) would - assuming it is not published - remain Crown copyright until 2065.

5 I attach a list of material in which Crown Copyright is likely still to subsist (depending on its published status and date of publication).

6 You will see that further work needs to be done on Class 2 and Class 8 for the purpose of determining whether Crown copyright is likely to subsist in material in those classes. Nina Veitch will be coming to Cambridge shortly to carry out this work, following which I shall produce a revised list.

7 I hope this is a helpful guide. It cannot amount to a complete statement of the Crown's claims, as the copyright position needs to be examined in respect of each document in each class. As we discussed in Cambridge, if there were to be any commercial reproduction of the Archive as a whole, some form of blanket licence would need to be negotiated with respect to Crown copyright (as indeed, with respect to the copyright owned by third parties in various personal papers) as it would scarcely be practical to licence copyright in respect of each document.

8 Given that, for the reasons stated above, we cannot provide a definitive list of Crown copyright material, I should be grateful if you would regard this information as being for the use of the College and the Trust only. I recall that, ideally, you would have liked something which could be handed over to third parties but, so that we do not prejudice the Crown's case, I should be grateful if you would draw on it rather than making it available as it stands.

9 I am copying this letter to Michael Carpenter, Treasury Solicitor, and to Jim Wretham, HMSO either of whom would be glad to help should you have any further detailed questions on the Crown copyright position.

Yours ever

Pat

MISS P M ANDREWS

LIST OF THOSE CLASSES, AND PARTS OF CLASSES, OF THE PRE-1945 CHURCHILL PAPERS IN WHICH CROWN COPYRIGHT MAY SUBSIST.

CLASS 1 - PERSONAL 1884-1945

1/351, Folios 106/107
1/355. Folio 54
1/357
1/365
1/380, Folio 59
1/385
1/390

CLASS 2 - PUBLIC AND POLITICAL: GENERAL 1898-1945

2/28
2/31
2/39
2/40

2/50
2/53
2/67
2/68
2/73-90
2/92
2/93
2/95
2/97-102
2/106
2/109
2/114
2/117
2/122
2/169
2/178
2/179
2/188
2/243
2/244
2/266A
2/271
2/272
2/273
2/278
2/281
2/296A&B
2/297
2/299
2/303-306
2/314
2/335
2/337
2/338
2/339
2/357A
2/363
2/366

2/371A&B
2/372
2/374
2/386
[2/392 onwards to be re-reviewed for crown copyright material]

CLASSES 3 - 7: POLITICAL: CONSTITUENCY

None

CLASS 8: LITERARY 1890-1945

8/203 War Cabinet document on the "Question of Manpower"
G-185
Note by Secretary 2 April 1918

[That part of Class 8 which was removed to Sotheby's not yet reviewed]

CLASS 9 : SPEECHES

Material relating to speeches (copies of speeches, drafts and supporting material) made during periods in Office viz 1907-1929 and 1939 (3 September) - 1945 (26 July) but <u>not</u> extracts from Hansard or Press Cuttings.

CLASSES 10-27

All

CLASSES 28-30: ACQUIRED PAPERS, MISCELLANEA

None

8/64

1 Chapter Ist War Headings Typse CO/WO/NP.

2-23 Text

24 WSC to Mensdorf Austrian Embassador 13/8/14

25-66 Typed Text with MSS amendments in blue and red.

67-100 Text MSS on flight of Goeben odd inserts from Printed material Source uncertain

8/65

1-12 The Great European Battle Typed text.

13 Admlty telegram WSC to Kitchener 22-8-14 Admlty confident of their ability to secure this country against invasion .....

CO/WO/NP

14-17 T Typed Text (T.T.)

18-32 ~~Admiralty~~ Admiralty telegrams forms. (Used)

CO (copy)

33-34 Admlty WSC to ~~FM~~ French 4-9-14

35-37 FM French to WSC

38-39 GHQ British Forces 10.9.14 French to WSC

40-46 T.T

47-50 MSS Text

8/66

Chapter XII Cruisers and Convoys on the Oceans

Sub Headings of Chapter MSS

T.T

1-16

17 Minute WSC to Secy ISL COS ck 15-9-14

18 Minute WSC to Secy ISL COS 15-9-14

19-20 Minute WSC to Secy ISL COS

21-22 Printed Extract of Churchills Book ? Galley Pr

23 MSS table on Warships in the Western Pacific Aug - Oct 1914

24-32 T T

33-35 1st Sea Lord WSC Admiralty Telegram 20-8-14 on dispositon of ships in Pacific Use made of this in Text

In text.

* Typed Text

ISL = 1st Sea Lord

8/66 bonta

38 - 39 T.T.

40 -43 Minute WSC to Secy ISL COS 1/10/14

44 Admlty Telegram 15.10.14 Vice Admiral Commanding Australian to admiralty & reply by WSC

45 T.T

46 Notes for Admiral Jackson Questions & Items in text

47-58 Carbon copies of T.T.

59-65 — to —

8/67 Cover MSS Chapter XVII The Dunkirk Guerilla

CO/WP 1-2 Telegram to Belgian Govt by WSC quoted in text as are order to General Aston 25.8.14

3-12 Typed

13 Extract minute WSC to DAD 28.8.14

14 WSC to Director of Air Division (DAD) COS 1.9.14 on naval aeroplanes, Stations Calais or Dunkirk

15 WSC to Secy DAD 3 SL Aerial Searchlight 3.9.14

16 Letter WSC to Lord Kitchener Air Defences to Secy DAD ~~COS~~

17-18 h minute WSC 4.9.14 h Naval Wing assuming responsibility for defence against air attack on UK

19-21 Extract minute WSC to Secy ISL COS Director of Naval Cordinance (DNA) and DAD Defence of London in case of air attack

22-23 Minute WSC to Secy ~~1st Lord~~ ISL DAD Aerial Defence of England 7.9.14

24 British Admiralty to French Admiralty German airbases threatening England 5.9.14

25 Minute WSC Personal for High Angle Guns 13.9.14

26 Extract WSC Minute Projectiles for use against aircraft 2.10.14 to Secy DNO DAD

~~27 WSC to Minute WSC to DNO High Angle Guns~~

27 Minute WSC to DNO High Angle Guns 2.10.14

28 —do— 2.10.14

29 T.T

30 included in text Minute WSC to Col Ellwant DAD Royal Naval Division Administration 23.9.14 Transport in France

31 ~~Text~~ TT

32 Extract in text from Minute WSC to ISL

33 TT

34-35 Note by WSC on visit to Dunkirk and Calais on Defence of Dunkirk and Calais and air defence problems 11.9.14

36-38 TT

39 Copy of Memorandum sent to Sir J. French 7.11.14 on mission of Naval aeroplanes in France - Husband for defence of UK

40-50 TT

8/67

8/68

1-10 Antwerp MSS and TT.

11-13 WSC 7.9.14 PM Sir Edward Grey (SOSFA) Lord Kitchener on Defence of Antwerp Admiralty action needed

14-16 TT

within text

17 Further text WSC warning to General Paris quoted 2 paragraphs within text

17-19 Also paragraphs from Report of Col. Dallas sent into Antwerp by Lord Kitchener giving Belgian War Ministers views on situation.

19 Extract from Report of Sir F. Villiers 1.10.14 within text

20-21 Telegram Sir Ed. Grey to British Ambassador Bordeaux

22-23 TT

24 Printed FO telegrams Belgian Royal Family leaving. Extracts but one telegram under this and others on page overleaf not used

25 Printed FO telegram Consul General chartering ships for expatriates

26-28 TT

29 Extract FO Printed telegram (incomplete one on reverse)

30 TT

31 FOTel Bordeaux 2.10.14 Relief of Antwerp Sir F Bertie to SOSFA (3 tels overleaf not used)

32 TT

33 Printed FO telegram SOSFA to Sir F Villiers Antwerp 3.10.16 (extract from middle of another overleaf)

34 T.T.

68 contd

35 FO Printed ~~for~~ Telegram Ld Kitchener

36 TT

37-40 FO Printed telegrams

41-44 TT

45-46 FO Printed Telegrams 1st Lord - WSC to SofS for War and SOSFA

47-51 TT

52 ~~FO Printed Telegram~~ in French (2 overleaf not used)

53-54 Press cuttings

55-58 TT

59-62 FO Printed Telegrams

63 ~~Text~~ TT

64- FO Printed Telegram

65 TT

66-70 FO Printed Telegrams WSC as 1st Lord in Antwerp to Ld Kitchener ISL etc

71 Text

72 FO Printed Telegram . WSC to Kitchener o SOSFA

73-78 Text

79 FO Printed Telegram Extract from full page others not used

80-81 Text

82-83 Press cuttings at time of events described.

8/69/

8/69 1 MSS chapter XV The Channel Ports

Sub Headings (not accurate - some items in next chapter in book).

2-3 TT

within text minute 10.10.14 WSC to Secy ISL etc

4-7 & Admiralty ~~text~~ Telegram (used in next chapter)

8 TT

9-12 Various Admiralty Telegrams on coloured forms

13-32 TT

33-43 Jellicoe aboard HMS Iron Duke 30.9.14 to WSC

44-47 reporting General Fleett Positions: tactics of modern naval warfare: Submarine menace

48-51 Used in full WSC's reply 8.10.14

52-58 Telegrams to and from Admiralty - on forms

59 TT

60-67 Admiralty telegrams on forms

~~68-80 TT~~

~~81 Admiralty telegram~~

68-70 TT

71-80 TT

81 Admiralty telegram Resignation of Prince Louis

82 Admiralty telegram C-in-C Home Fleet to Admlty 30.10.14

83-90 TT

91-94 MSS test

8/70

1-9 Coronel and Falklands Typescript

10 Copy typed of Telegram from Admiralty to Rear Admiral Good Hope Via Rio 14.9.14 ~~Defacerlerstand~~. German battleships

11 TT

12 Copy typed Admlty Telegram Montevideo re arrival 16.9.14 German battleships reported at Samoa

Wither test 13 Within text Admiralty telegram to Intelligen Officer Montevideo 5.10.14 re action to be taken

14 Reply from Admiral Cradock 5.12.14 (Recd 12/12)

15 Rear Admiral Montevideo to Admlty 12.10.14

16 Within text minute by WSC to 1SL 12.10.14

17 ~~Results~~ WSC to 1SL 14.10.14 Dispositions in South Pacific and South Atlantic

18 TT

WT 19 Admiralty to Rear Admiral via Montevideo etc 14.10.14 Wither text and reply from Rear Admiral

20-25 Text

WT 26 Wither text Telegram Admiral Cradock to Admiralty 27.10.14

27 Wither text minute to Naval Secretary re Abr

28 Wither text Admiral Stoddart to WSC Questions received received 29.10.14

29 TT

30 Telegram Rear Admiral 27.10.14 and one other within text

31 Text

32 Text with telegram from Consul General Valparaiso to Admiral Stoddard

33 Admiralty Telegram to Cradock re HMS Canopus 3.11.14

34 Within text Valparaiso to Admiralty 3.11.14 reports naval engagement

35-38 TT

39-41 ~~Extract~~ Extract log of HMS Glasgow

42-46 TT

47-48 Parliamentary Statement

49-50 TT

51 Within text Minute WSC to Director of Operations Division 4.11.14

52 TT

53 Telegram WSC to C in C Home Fleet 5.11.14

54-55 TT

56-58 Printed Admiralty to Japanese Admiralty a note by WSC 7/11/14 "This is very good." (Admiralty Telegram Forms)

59 Partly within text Admiralty to C-in-C Home Fleet 4.11.14 Naval orders to Ships

8/70 (lentil)

60 Admiralty to British Minister Rio to be conveyed to HMS Canarvon - sailing orders

61 Admiralty to Consuls in Chile & Uruguay 4.11.14

62 Admlty to HMS Glasgow & Otranto via Consul Valparaiso & Intelligence Officer Montevideo. Sailing orders: From Admiralty to Governor Falkland Islands (via CO) Warning of possible German raiders

63 Admiralty to Intelligence Officer Montevideo 9.11.14 for HMS Candytuft to remain in Harbour at Falklands

64-67 TT

68 Minute from Dockyard Representative to Ops War Room 9.11.14 Date of completion of HMS Invincible & Inflexible

69 Admiralty telegram to C-in-C - Davenport Ships to sail 11.11.14 if necessary with dockyard workers aboard

70-71 TT

WT 72-75 Wireless test Tel from Governor Falkland Island (whether whole telegram or part not clear) arrival of Admiral ~~for~~ Sturdee

76 WSC to Lord Fisher Congratulations on sinking of 5 German ships

77-85 TT

86 MSS with amendments of a page previously typed

8/21 ● † MSS chapter XIX November at the Admiralty
sub Headings

1-5 Type with MSS amendments in red

~~MSS with text typed text typed~~

WT 6 neither text typed telegram WSC to
6 in 6 Possible actions of German raiders

~~7~~ MSS extract 3⅓ lines from Admlty telegram
form

8-12 Extracts from Admiralty telegram forms

13-14 MSS

15 Admiralty telegram

16-18 Letter has attached extract from letter
from Lord Fisher to WSC 21.11.14

19 MSS ≠ extract typed Admiralty telegram

20 MSS

21 MSS ○ typed extract from letter from
Lord Fisher

22 Extract ~~from~~ from WSC's reply and
subsequent extract from letter from Lord
Fisher

23 MSS ○ typed extract from a letter from
Lord Fisher

24-25 MSS

26 chapter XIX November and December 1914
sub Headings

27 MSS

28-34 TT

35 MSS

36-37 WSC minute to Secy ISL 3SL Director of Naval Construction etc on Dummy Fleet Construction 21.10.14 (Initialled WSC in red & in his handwriting ? Original ?)

38--43 Notes for Cabinet on Mining at Sea. Typed MSS amendment and comment in red Oct. 1914

44 Minute WSC (initialled red) 26.10.14 to Secy ISL COS Admiral Slade American Patrol Blockade

45 Minute WSC to Secy ISL Submarine building

46-47 Minute WSC to Secy ISL 3SL new construction of Cruisers, battleships and submarines 30.10.14

48 WSC to ISL etc Anti Submarine measures

49-52 WSC to Secy etc 1.11.14 Admiralty decision 2.11.14

53-54 Minute WSC to Secy oDID 7.11.14 Precautions (against espionage) in the Highlands

55 Minute WSC to Naval I D. Alleged German Submarine Strength 17.11.14

56-57 Minute WSC 7.11.14 to ISL Secy The Coastal Patrol

58 Minute WSC to ACL High Explosives Production 9.11.14

59 Minute WSC to Captain ~~Hamby~~ Hanbey Protection of Blyth and Sunderland 10.11.14

60 Minute WSC to SofS for War 10.11.14 Protection as above

61 Minute WSC to COS 10.11.14 Patrols in Defence of Blyth and Sunderland

62 Minute WSC to ISL for a Wilson COS German submarines in Channel 19.11.14

63-64 Minute WSC to Jellicoe German submarines in the Shetlands 23.11.14

65 Minute WSC Courses to be followed in view of the Rifle Shortage 25.11.14

66 ~~Minute~~ WSC to Mrs Mahan on death of her husband Admiral Mahan 7.12.14

67 Minute War Staff changes 30.11.14 No addressees or signature

68 Minute WSC re secrecy. Need for secrecy to stop gossip in Admiralty 9.11.14

69 Minute WSC to ISL The Monitors 11.12.14

70 Minute WSC Anti-submarine obstructions in Dover - progress unsatisfactory

71 WSC 13.12.14 Scheme for destroying Dover Harbour in an emergency

72-77 MSS

78-79½ ~~Text~~ TT

80-81 Admiralty Telegram to C-in-C. Home Fleet. Information on German naval ship movements

82 Form ½ page D Type

83-85 Admiralty telegram forms. Tels to and from Admiralty to ships at sea.

86-88 TT

89 Admiralty Telegram Form

90-91 TT

92 MSS in red

8/71
93 Admiralty telegram from
94 MSS in red
95 admiralty telegram from
96-97 TT
98-99 Extracts from "The Times" typed. Admiralty statement on shellings of Hartlepool Whitby and Scarborough (continued in MSS in red)
100 TT
101 Map showing naval situation

8/72 Chapter Turkey and the Balkans
1-5 Typed text
6 WSC to Djavid Bey Turkey written from admiralty on 19.11.14 on advice from SOSFA General nature of UK/Turkish relations
7-9 TT
10 WSC to SOSF 12.8.14 Goeben & Breslau
11 WSC to SOSFA 19.8.14 —6—
12 from WSC to 1SL COS
13-15 TT
~W1 16-17 within text message WSC ~~Admiral~~ to Admiral Limpus ~~Turkish~~ withdrawal of British naval mission from Turkey 9.9.14
18-19 TT
20 Letter WSC to SOSFA on Turkish/UK relations 23.9.14

8/12 (contd) 14

21 Admiralty Telegrams from Vice Admiral Carden Malta - German ships in Turkish waters.

22-23 TT.

24-28 Admiralty Tel ~~from~~ form Hostilities against Turkey

29-30 TT.

31-32 Admiralty telegrams Malta to Admiralty & Vice Versa mining of Dardanelles 14.12.14 and 22.12.14

33-35 TT

36 Minute WSC to 1SL COS movements of HMS Ashold 18.11.14

37 ~~1st~~ WSC to C-in-C East Indies 14.11.14 Naval operations in Red Sea and Egypt

38-40 TT.

8/73 1-17 Chapter XVI The End of the Beginning and Subheads TT.

18 Within text an obvious copy of paragraphs of a report but no source quoted, given or hinted at "It was time to write in October 1916.

SOLID

19/

8/73 (contd)

19 - 27 T1

Similar Excample

SOLID 28-29 Tel to Russian Military & Naval Attache in

30 London 24.8.14 message for WSC about

British Fleet movements

31-38 T1

SOLID 39 Written text WSC to ISL Secret Home Fields

40 —to— WSC Keys is a Brilliant Officer

and another quote on mining y the Baltic

41-43 T1

44 then WSC to PM on War 31.12.14

47-52 T1

53-58 MSS and one typed pages with MSS

amendments.

RDL 49

THE TREASURY SOLICITOR

Queen Anne's Chambers, 28 Broadway, London SW1H 9JS

Direct Line 0171 210 3450 Direct Fax 0171 210 3503

Office of Public Service & Science Legal Adviser

Miss P M Andrews
Cabinet Office
Historical & Records Section
Hepburn House
Marsham Street
London SW1P 4HW

Please quote: A930329G/MC

Your reference:

Date: 4 August 1995

CABINET OFFICE
H95/627
- 7 AUG 1995
FILING INSTRUCTIONS
FILE No.

Dear Pat,

Churchill Archive

Thank you for your letter of 28 July with its enclosures.

I attach a few suggested amendments to your draft letter to the Keeper. I think the important point is to emphasise that we are in no position to state definitively the Crown copyright position in respect of the entire Archive: the task is simply too great and too complex. If there were to be commercial reproduction of the Archive as a whole, then the only practical solution is to negotiate some form of blanket licence based on the best estimate we can make of the proportion of Crown copyright material in the Archive. At a guess, I do not think the Crown should be settling for less than a 50% share of the royalties likely to arise from commercial reproduction, but this will of course be a commercial decision for the Controller of HMSO.

I am broadly content with the classification set out in your letter to me. The subsistence of Crown copyright is likely to be roughly congruent with Crown ownership of the documents, but this is not invariably so (for example, President's Roosevelt's "Ship of State" note to Winston Churchill in 1941 is in Crown ownership, but copyright is owned by the estate of the late President).

I agree that the Dardinelles papers and those relating to German re-armament are Crown copyright. Counsels' doubts as to claiming ownership of the documents do not, I think, bear on the question whether Crown copyright subsists in them.

It would be a major exercise to review the copyright position in each class, and I doubt whether it would be a fruitful use of our resources. The Keeper will know that any commercial reproduction of the Archive as a whole will need the permission of all the

copyright holders, and at some stage we may be involved in the negotiation of a blanket licence. We have given him an assurance that the College would not be joined by the Crown in any infringement action, provided the College warns any potential commercial copier of the Archive that it does so at its own risk and that the Crown is warned immediately of any intention by any person to carry out such copying.

I have therefore suggested in the draft that the scheduled list should not purport to set out the position definitively and that we offer to deal separately with any specific questions Dr Brendon may have.

I am copying this letter with its enclosure to Jim Wretham at HMSO.

Yours sincerely,

Michael Carpenter

Michael Carpenter

Draft

Dr Piers Brendon
Keeper
Churchill College Archives Centre
Churchill College
Cambridge CB3 OD5

1. You will recall that when Michael Carpenter, Jim Wretham and I visited you in Cambridge on 7 July we agreed to let you have a letter setting out the situation as we understand it in relation to Crown copyright in the papers forming the Churchill Archive, which papers are now the property of the Sir Winston Churchill Archive Trust. The following is intended for the use of the College and the Trust and I would be grateful if it were not shown to any third party without consulting me.

2. Crown copyright subsists by virtue of statute. The following three separate but related Acts are relevant:-

   - Copyright Act 1911, the effective dates of which are 16 December 1911 up to and including 31 May 1956,

   - Copyright Act 1956, the effective dates of which are 1 June 1957 up to and including 31 July 1989,

   - Copyright and Designs & Patents Act 1988, effective dates 1 August 1989 to date.

   The subsistence of copyright under the pre-1988 legislation is preserved by transitional provisions of the 1956 and 1988 Acts, so that works first protected under the 1911 Act may continue to be protected under the current legislation.

3. The terms of protection originally conferred under these Acts varies according to whether the documents have been published or not. The following terms apply to **Published Works:**

   1911 Act - 50 years from the first publication (Section 18)

1956 Act – 50 years from the end of the calendar year in which the work was first published (Section 39(3)(b)).

1988 Act – 50 years from the end of the calendar year in which the work was first **commercially** published.

Unpublished work – Crown copyright material enjoyed perpetual protection under both the 1911 and 1956 Acts. In the 1988 Act, however, the question of duration of copyright in **unpublished** Crown copyright works was specifically addressed. The variations are as follows:–

(a) 125 years from the end of the calendar year in which the work was made unless the work is published commercially within 75 years of the end of the calendar year in which the work was made. If the work is commercially published within that 75–year period, then the period of protection is 50 years from the end of the calendar year in which it was first published, or

(b) 50 years from 31 December 1989 (i.e. the end of the calendar year in which the 1988 Act came into effect)

whichever is the later.

4. This means, for example, that the unpublished test of a work made by Sir Winston Churchill as Prime Minister in 1940 (e.g. a draft of a Ministerial speech) would – assuming it is not published – remain Crown copyright until 2065.

5. I attach a list of material in which Crown copyright is likely still to subsist (depending on its published status and date of publication).

6. You will see that further work needs to be done on Class 2 and Class 8 for the purpose of determination whether Crown copyright is likely to subsist in material in those classes. Nina Veitch will be coming to Cambridge shortly to carry out this work, following which I shall produce a revised list.

7. I hope this is a helpful guide. It cannot amount to a complete statement of the Crown's claims, as the copyright position needs to be examined in respect of each document in each class. As we discussed in Cambridge, if there were to be any commercial reproduction of the Archive as a whole, some form of blanket licence would need to be negotiated with respect to Crown copyright (as, indeed, with respect to the copyright owned by third parties in various personal papers), as it would

scarcely be practical to licence copyright in respect of each document. If you have any more detailed questions on the Crown copyright position, Michael Carpenter and Jim Wretham would be happy to deal with them.

8. I am copying this letter to Michael Carpenter, Treasury Solicitor and to Jim Wretham, HMSO.

CABINET OFFICE
Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 0171 217 6050
Fax 0171 217 6010
(GTN 217)

FOI 48

Our ref: HO95/544

M C Carpenter Esq
Treasury Solicitor's Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

3 August 1995

Dear Michael

FOI 46

CHURCHILL PAPERS: PRO MICROFILM

I attach a letter which I have received from Nicholas Cox at the PRO asking whether we should try to resolve the outstanding matter of the microfilm copy of approximately half the Churchill papers made in 1963 and held at the PRO with the undertaking that it would not be made available without the agreement of the then Trustees and the Cabinet Office.

I have said to Nicholas that I would have thought all that was needed was a letter to the new owners - the Sir Winston Churchill Archives Trust - saying that subject to their views the microfilm will (when the withheld papers have been removed from it) be made available to researchers in the PRO in the same way as the actual documents are in the Archives Centre. Copyright provisions would remain the same for both. I would not have thought the new owners would object to that, would you?

Have you any advice on this that I can pass on to Nicholas?

Yours ever

Pat

MISS P M ANDREWS

CABINET OFFICE
Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 0171 217 6050
Fax 0171 217 6010
(GTN 217)

47

Your ref: 2/RAS 10.4
Our ref: HO95/543

Dr N G Cox
Director of Archival Services
Public Record Office
Kew
Richmond
Surrey
TW9 4DU

3 August 1995

Dear Nicholas

CHARTWELL PAPERS: PRO MICROFILM

46

Thank you for your letter of 31 July about the Chartwell papers microfilm.

I agree that there is a loose end here which should certainly be pursued (or tied up or whatever one does with loose ends!).

My own view is that all that would be needed is a letter to the new owners of the Chartwell papers - the Sir Winston Churchill Archives Trust (Chairman, Andreas Whittam Smith, Secretary, Dr Piers Brendon) explaining the situation and saying that, subject to their view, we would propose to make the microfilm available to researchers in the Public Record Office as the actual Archive now is in the Archives Centre at Churchill College. The copyright provisions would be the same for both. I cannot think that they would object.

I will however, send a copy of your letter to Michael Carpenter who dealt with the Deed of Gift etc, to see whether he has any thoughts on the matter and I will let you know what he says.

Best wishes

Yours Pat-

MISS P M ANDREWS

FOI 4b

PUBLIC RECORD OFFICE

Our Ref: 2/RAS 10.4

31 July 1995

Miss P M Andrews
Head of Historical and Records Section
Hepburn House
Marsham Street
London SW1P 4HW

Public Record Office
Kew
Richmond
Surrey TW9 4DU

Director of Archival Services
Direct line 081-878 2000
Main switchboard 081-876 3444
Extn. 2405
Fax 081-878 8905
GTN 3851 2405

Dear Pat

CHARTWELL PAPERS: PRO MICROFILM (PRO 31/19)

As you know, the Public Record Office holds microfilm copies of around half of the Chartwell Papers, made at our expense in 1963 when the papers had been arranged and listed. We gave an undertaking not to permit access to the film without the agreement of the Chartwell Trustees (Mark I) and of the Cabinet Office. The National Heritage Memorial Fund were aware of the existence of the film and its extent, and of the restriction on access to it, when they had the Chartwell Papers under consideration.

We agreed some while back that there is little prospect of our being able to make the film available in the near future, because it contains copies of material that has been withdrawn from Churchill College, or has been withheld by them, and because the identification and removal of these parts of the film would involve considerable resources.

However, now that the Trustees have divested themselves of any proprietary interest they might have had in the Papers (beyond copyright), I wonder to whom besides the Cabinet Office we are now under obligation to withhold access, and from whom else we would need to seek agreement to make the film of the accessible originals available for research, if we wished to do so, and if we had the agreement of the Cabinet Office to do so.

I do not know whether there is an easy answer to this question, or how we could find it. I assume that apart from the question of any private Churchill copyright in any of our films, the old Trustees would have no concern from their own point of view about our making the films available. And as regards copyright, we would be in no different position from that we are in in relation to any other private collection that we hold.

Do you think that it is worth pursuing this question, before memories fade? It is a loose end.

With best wishes

Yours

NICHOLAS COX

CABINET OFFICE
H 95/615/1
3 AUG 1995
FILING INSTRUCTIONS
FILE No.

CABINET OFFICE
Historical and Records Section
Hepburn House, Marsham Street, London SW1P 4HW
Telephone 071-217 6050
Facsimile 071-217 6010
(GTN 217)

FOI 45

HO95/521

M C Carpenter Esq
Treasury Solicitors Department
Queen Anne's Chambers
28 Broadway
London SW1H 9JS

28 July 1995

Dear Michael

CHURCHILL ARCHIVE

When we were in Cambridge on 7 July we agreed to let the Keeper, Dr Brendon, have a letter setting out the situation with regard to Crown Copyright in the Churchill Archive.

2 Jim Wretham, HMSO, has kindly provided information from the various pieces of legislation relating to the period for which crown copyright subsists and I have put together, so far as I can, a list of the classes and parts of classes in which we would state that crown copyright subsists.

3 So far as Class 1: Personal, is concerned I have regarded those papers which we were going to claim ownership of as those in which crown copyright will subsist (see your Instructions to Counsel attached to your Minute to Mr Jenkins dated 4 November 1994, paragraphs 9-11).

4 Class 2 is a little more complicated. Annex 3 to your Instructions to Counsel provided what purported to be a list of "Relevant State Papers". These included the Dardanelles papers, those relating to German rearmament and imperial defence which were given to Sir Winston Churchill in the 1930s when he was out of office, and those relating to gifts received by Sir Winston during his premiership. Although we were uncertain as to whether a claim to ownership of these papers would succeed I believe there is no doubt that the first two categories (Dardanelles and German rearmament papers) are documents in which crown copyright would subsist. I am less certain about correspondence relating to gifts. Indeed, looking again at Annex 3 to your Instructions to Counsel, I am uncertain about most of the documents listed on the last page.

/From 2/392

5 From 2/392 onwards I think we would need to have a more detailed review before we could claim crown copyright. If you agree, therefore, I will ask Nina Veitch to look at these again when she goes to Churchill College to look at the Class 8 papers which were removed to Sotheby's and were not therefore available to her when she reviewed the main archive. For the moment I have exluded these from the list attached to the draft letter.

6 We claim no crown copyright in Clases 3 - 7, Political: Constituency.

7 Class 8 - that part so far reviewed only contained two pieces of crown copyright material (see paragraph 20 of your Instructions to Counsel). The material removed to Sotheby's and now returned to Churchill College is still to be reviewed.

8 Class 9: Speeches. This class is more complicated even than Class 2! We seem to have gone a little awry in the Instructions to Counsel. Annex 6 does <u>not</u>, as paragraph 23 of the Instructions states, list "those papers in Class 9 covering the periods 1907 to 1929 and 1939-45 which are not regarded as constituting "Relevant State Papers". Annex 6 lists papers in Class 9 - private <u>and</u> official - for the period 1907-1929 and 1939 before Sir Winston became Prime Minister. We took the view that <u>all</u> the speech material during his premiership (with the exception of those listed in paragraph 24 of your Instructions to Counsel) were official and that there was, therefore, no need to list it.

9 More work would need to be done, therefore, to list all the crown copyright material in Class 9. I suggest that for the moment we simply say that all speeches, drafts, notes and supporting material, but not extracts from Hansard and Press Cuttings, for the periods when he was in Office, viz: 1907-29 and 1939-45, are in Crown copyright in so far as this is still in existence in the speeches.

10 Classes 10-27 - crown copyright potentially subsists in all this material (except, of course, in documents coming from non-official sources where copyright belongs to the sender but it would be too big a task to list it all out).

11 Classes 28-30 - no crown copyright material that we know of.

12 I have tried my hand at a draft to Dr Brendon, attached, on which I should be most grateful for your comments. Are we right to claim crown copyright in all the material listed? Also, could you complete the example given about copyright in speeches*. I am uncertain in my own mind whether speeches are covered by the Copyright Act of 1911 because they were made in the period during which that Act was in force or in the 1988 Act as the current one! Perhaps we should add some explanation of that?

/A thought

* para 4 of the draft.

13 A thought occurred to me whilst drafting this letter that we shall need to check with the Palace how they feel about Royal correspondence being put onto CD ROM. It is all crown copyright material but I recall that whilst they were content to release the material to researchers they were certainly not happy with the idea of sale and I suspect that they will not be happy with CD ROM.

Yours ever

Pat

MISS P M ANDREWS

DRAFT LETTER TO:

Dr Piers Brendon
Keeper
Churchill College Archives Centre
Churchill College
Cambridge
CB3 0D5

You will recall that when Michael Carpenter, Jim Wretham and I visited you in Cambridge on 7 July we agreed to let you have a letter setting out the situation with regard to Crown Copyright in the Churchill Archive, now the property of the Sir Winston Churchill Archive Trust.

2 Crown copyright is protected under three separate but related Acts:-

- Copyright Act 1911, the effective dates of which are 16 December 1911 up to and including 31 May 1956,

- Copyright Act 1956, the effective dates of which are 1 June 1957 up to and including 31 July 1989,

- Copyright and Designs & Patents Act 1988, effective dates 1 August 1989 to date.

3 The terms of protection under these acts varies according to whether the documents have been published or not. The following terms apply to **Published Works**:

1911 Act - 50 years from first publication (Section 18)

1956 Act - 50 years from the end of the calendar year in which the work was first published (Section 39(3)(b))

1988 Act - 50 years from the end of the calendar year in which the work was first **commercially** published.

Unpublished work - Crown copyright material enjoyed perpetual protection under both the 1911 and 1956 Acts. In the 1988 Act, however, the question of duration of copyright in **unpublished** Crown copyright works was specifically addressed. The variations are as follows:-

a. 125 years from the end of the calendar year in which the work was made unless the work is published commercially within 75 years of the end of the calendar year in which the work was made. If the work is commercially published within that 75-year period, then the period of protection is 50 years from the end of the calendar year in which it was first published, or

b. 50 years from 31 December 1989 (ie the end of the calendar year in which the 1988 Act came into effect)

whichever is the later.

4 This means, for example, that speeches made by Sir Winston Churchill as Prime Minister in 1940 [ ].

5 I attach a list of material in which Crown Copyright potentially subsists (depending on its published status and date of publication).

6 You will see that further work needs to be done on Class 2 and Class 8 for the purpose of determining crown copyright material in those classes. Nina Veitch will be coming to Cambridge shortly to carry out this work, following which I shall produce a revised list.

7 I hope this is helpful.

8 I am copying this letter to Michael Carpenter, Treasury Solicitor, and to Jim Wretham, HMSO.

MISS P M ANDREWS

MAY

LIST OF THOSE CLASSES, AND PARTS OF CLASSES, OF THE PRE-1945 CHURCHILL PAPERS IN WHICH CROWN COPYRIGHT SUBSISTS.

CLASS 1 - PERSONAL 1884-1945

1/351, Folios 106/107
1/355. Folio 54
1/357
1/365
1/380, Folio 59
1/385
1/390

CLASS 2 - PUBLIC AND POLITICAL: GENERAL 1898-1945

2/28
2/31
2/39
2/40

2/50
2/53
2/67
2/68
2/73-90
2/92
2/93
2/95
2/97-102
2/106
2/109
2/114
2/117
2/122
2/169
2/178
2/179
2/188
2/243
2/244
2/266A
2/271
2/272
2/273
2/278
2/281
2/296A&B
2/297
2/299
2/303-306
2/314
2/335
2/337
2/338
2/339
2/357A
2/363
2/366

2/371A&B
2/372
2/374
2/386
[2/392 onwards to be re-reviewed for crown copyright material]

CLASSES 3 - 7: POLITICAL: CONSTITUENCY

None

CLASS 8: LITERARY 1890-1945

8/203 War Cabinet document on the "Question of Manpower"
G-185
Note by Secretary 2 April 1918

[That part of Class 8 which was removed to Sotheby's not yet reviewed]

CLASS 9 : SPEECHES

Material relating to speeches (copies of speeches, drafts and supporting material) made during periods in Office viz 1907-1929 and 1939 (3 September) - 1945 (26 July) but <u>not</u> extracts from Hansard or Press Cuttings.

CLASSES 10-27

All

CLASSES 28-30: ACQUIRED PAPERS, MISCELLANEA

None

Hand copy

HMSO

44

Your reference HO 95/497

Our reference COA 13/1

Date 27 July 1995

Copyright Unit
St Crispins
Duke Street
Norwich
NR3 1PD

Telephone
01603 69 5643
GTN 3014 "

Switchboard
01603 622211
Fax 01603 696869

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Miss P M Andrews
The Cabinet Office
Historical & Records Section
Hepburn House
Marsham Street
LONDON SW1P 4HW

Sent by fax: GTN 217 6010
and by post

Dear Pat

COPYRIGHT MATERIAL IN THE CHURCHILL ARCHIVE

Thank you for your letter of 20 July. I attach herewith a guide to the duration of copyright in photographs which has already been cleared with Michael Carpenter. I now summarise below the position vis-a-vis literary works:

(i) **Published Works.** The terms of protection for Crown copyright works under the 1911 and 1956 Copyright Acts and the Copyright, Designs & Patents Act 1988 were as follows:

1911 Act:	50 years from first publication of the work (Section 18 applies).
1956 Act:	50 years from the end of the calendar year in which the work was first first published (Section 39(3)(b) refers).
CDPA 1988:	50 years from the end of the calendar year in which the work was first *commercially* published.

(ii) **Unpublished Work.** Crown copyright material enjoyed perpetual protection under both the 1911 and 1956 Acts. In the 1988 Act, however, the question of duration of copyright in unpublished Crown copyright works was specifically addressed. The variations are as follows:

(a) 125 years from the end of the calendar year in which the work was made unless the work is published commercially within 75 years of the end of the calendar year in which the work was made. If the work is commercially published within that 75-year period, then the period of protection is 50 years from the end of the calendar year in which it was first published.

OR

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FILE No. –

Miss P M Andrews
HO 95/497
27 July 1995

(b) 50 years from 31 December 1989 (ie the end of the calendar year in which the 1988 Act came into effect)

whichever is the later.

The other piece of information which we should mention is the effective dates of the three Acts. These are as follows:

Copyright Act 1911 - 16 December 1911 up to and including 31 May 1956;
Copyright Act 1956 - 1 June 1957 up to and including 31 July 1989;
Copyright, Designs & Patents Act 1988 - 1 August 1989 to the present.

Michael will, no doubt, have some amendments and refinements to make, but I think this gives a broad summary of the situation.

With best wishes.

Yours sincerely

JIM WRETHAM
Copyright Manager

Enc

HMSO

Your reference

Our reference PU 15/167

Date 26 July 1995

All Copyright Contacts in
Government Departments

Copyright Unit
St Crispins
Duke Street
Norwich
NR3 1PD

Telephone
01603 69 5643
GTN 3014

Switchboard
01603 622211
Fax 01603 696869

International dialling
+44 (1603)

DURATION OF COPYRIGHT: CROWN COPYRIGHT PHOTOGRAPHS

In the light of further advice from the Treasury Solicitor, HMSO would like to update the advice contained in the earlier circular letter dated 19 August 1994.

1. **Published Photographs**

(a) A photograph taken on or after 1 August 1989 (the date of commencement of the Copyright, Designs and Patents Act 1988) would have copyright protection for 50 years from the end of the calendar year in which the photograph was first published, provided that such publication took place within 75 years from the end of the calendar year in which the photograph was taken. Section 163 of the CDPA 1988 refers.

(b) A photograph taken on or after 1 June 1957 (the date of commencement of the Copyright Act 1956) but before 1 August 1989, would have a copyright life of 50 years from the end of the calendar year in which the photograph was first published. Schedule 1, paragraph 40 of the CDPA 1988 and Section 39(4) of the 1956 Act refer.

(c) A photograph taken on or after 1 June 1957 and first published before 1 August 1989 would enjoy copyright protection of 50 years from publication in accordance with paragraph 41(2)(d) of Schedule 1 of the CDPA 1988.

(d) A photograph taken prior to 1 June 1957 would have a copyright life of 50 years from the end of the calendar year in which the photograph was first taken. Schedule 7, paragraph 30 of the Copyright Act 1956 refers.

2. **Unpublished Photographs**

(a) A photograph taken on or after 1 August 1989 has a copyright life of 125 years from the end of the calendar year in which the photograph was taken subject to it not being published commercially within 75 years from the end of the calendar year in which the photograph was taken. Section 163 of the CDPA 1988 refers.

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FILE No.

(b) A photograph taken on or after 1 June 1957, but before 1 August 1989, would have a copyright life of 50 years beyond 1 August 1989 (to end of 2039) under paragraph 41(4) of Schedule 1 of the CDPA 1988.

(c) A photograph taken prior to 1 June 1957 has a copyright life of 50 years from the end of the calendar year in which the photograph was taken. Paragraph 30 of Schedule 7 of the Copyright Act 1956 refers.

3. **Out of Copyright Photographs**

Departments generally charge fees for the reproduction of Crown copyright photographs which cover both the copyright aspect and also an element to cover access to and provision of the photographs. In the case of "out of copyright" photographs, departments are still entitled to charge access and provision fees.

Any queries or problems relating to this information, please feel free to contact me.

JIM WRETHAM
Copyright Manager

THE TREASURY SOLICITOR
Queen Anne's Chambers
28 Broadway London SW1H 9JS

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SWITCHBOARD 0171-210 3000
GTN 210
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Miss Pat Andrews
Cabinet Office
Historical and Records Section
Hepburn House
Marsham Street
London SW1

With the Compliments of

20 July 1995

Churchill Archive

Herewith Annexes 2–6 inclusive as discussed on the telephone this afternoon.

Annex 2

43

CHARTWELL
CLASS 1

1/39	1903	Letter from Lord Knollys at Buckingham Palace conveying the King's reproof that WSC did not attend levee. WSC not in office at the time. Not official
1/74	1908	August 1908. Correspondence to and from Board of Trade about whether WSC should subscribe to the local Salvation Army. Not official
1/80	1908	Copies of letter to and from Solicitors about Lord Randolph's will. All WSC's letters writtern on Colonial Office or Board of Trade notepaper but content obviously not official
1/95	1910	Handwritten letter from WSC to Reginald McKenna dated 2 August 1910 about a report on Lt W O Hozier, WSC's brother-in-law, by the Captain of his ship, Capt Ryan. 2 copies on Home Office paper. McKenna replies on 4 August on Admiralty paper. WSC dated 8 August thanks McKenna for his assistance. Handwritten internal note to First Lord dated 3 August 1910 saying that Ryan's report has been referred to Sir F Bridgeman who agrees with Capt Troubridge's views. Handwritten letter by WSC on Home Secretary crested paper to unknown recipient about George Robbins and his career prospects in his department. WSC was Home Secretary in 1910 hence, no doubt, use of Home Office and Home Secretary paper, but topics seem to be personal. 25 October letter to WSC in King's own handwriting thanking WSC for letter of sympathy on death of brother-in-law "Frank".
1/99	1911	One Home Office letter, personal in content Correspondence with Buckingham Palace about tickets for Coronation of George V - private.

1/105	1912	Volume contains only two pieces. A copy of a covering memo from G Bonham-Carter, Adjutant of the Queen's Own Oxfordshire Hussars to "GOO Hussars" attaching a copy of a Confidential War Office letter for information. Secondly the Confidential letter on headed War Office paper from E W D Ward about the need for safe custody of documents in connection with the Mobilization scheme - asking General Officer Commanding to bring the matter to the attention of all officers serving under his command. WSC was First Lord of the Admiralty in 1912 so this correspondence must presumably have been related to his service rather than Ministerial/political career and is probably to be regarded as private.
1/112	1912	Copy of a letter from John Churchill dated 8 December. On Admiralty paper headed GHQ to Lord Rothschild. Content personal.
1/113	1914	Contents private
1/117	1915	Letters from Jack Churchill addressed "My dear" giving detailed account of war activity in 1915, some written on Admiralty notepaper.
1/124	1909	Mainly personal letters dated 1916 but one copy letter dated 3 February 1909 on Board of Trade headed notepaper from WSC to the Prime Minister about numbers of ships and effect on naval policy Probably political rather than official
1/129	1918	Official telegram marked SECRET from WSC to General Birdwood about "Jack". Plain paper, no signature - probably file copy of telegram.
1/132	1919	Copy of handwritten telegram from the King to WSC (not King's own handwriting) thanking him for kind letter of sympathy 23 January 1919.
1/138	1921	Contents private
1/157	1922	Folios 39 and 40 are letters from "Henry" on Buckingham Palace headed notepaper thanking WSC for lending him his polo ponies

1/188 1926 Contains copy letters probably written on official notepaper but top copies sent out eg letter of 4 April 1926 to unknown person begins:-

> "I was so much interested in your book that I have consumed a morning which ought to have been devoted to the budget in dictating this note while the impression was fresh in my mind..."

17 page letter about principles of energy/the relationship between music and mathematics and other topics.

1/200 1928 Handwritten letter on India Office paper from "F" thanking WSC for "charming letter" which was a great comfort - suggesting lunch.

Exchange with PS/King (Stamfordham) about WSC's visit to Balmoral - need to attend Cabinet thus later arriving than intended, need to take and accommodate shorthand writer - Miss Fisher. Stamfordham's letters on B Palace headed notepaper, WSC's are copies and thus on plain paper - not really personal, presumably invited in Ministerial capacity - Chancellor/Exchequer. ✓

1/200 also includes a handwritten letter from Stamfordham expressing birthday wishes from HM King and Queen 30 Nov 1928. private

1/256 1934 Folio 94 is a handwritten letter from "Albert" of "55 Broadway" dated 30 November 1934 - regrets for inability to attend party.

1/273 1935 letters to Mrs Churchill in a diary form called "Chartwell bulletins" one passage refers to German air superiority and the misleading of Parliament. WSC was not in office in 1935 so these would be his "personal" views presumably. ✓

1/284 1936 Letters from Buckingham Palace on headed notepaper from "Ellie" in very affectionate terms on receipt of sympathy letters from the Churchills to The Queen on the death of The King. Folio 28 is a typed telegram from Edward RI, "thanks for charming letter". private

1/302 1937 Letter from Privy Purse Office, Buckingham Palace, saying HM will grant his patronage to an Exhibition of Marine Paintings 18. 5. 1937. WSC not in office, so personal. ✓

1/324 1938 Typed copy of a letter presumably from WSC, though not signed, to the Duke of Windsor 12 Sept 1938 presenting him with a copy of "Marlborough" and saying things are bad and getting worse (war). WSC not in office

1/351 1939 Folios 65-71 comprise correspondence with Met Police in March 1939 re threatening letter from supposed IRA member. Met Police letters on officially headed paper addressed to Mrs K Hill at Chartwell. WSC not in office.

Folios 106/107 correspondence with HM Office of Works. 15 Oct 1939 from Personal Private Sec, Room 70, West Block 1. REply dated 19 Oct 1939 on officially headed notepaper signed E A Smith for Controller of Supplies about supply of coke to the flat occupied by WSC as First Lord.

1/355 1940 Folio 19 letter from Maj Gen Lauderdale, Director of Mobilization, War Office, Thames House dated 4 April 1940 about Major the Hon A M Bertie who has applied for enrolment in Army Officers' Emergency Reserve - gave WSC as reference.
Folio 20 is a typed reference initialled by WSC dated 6 April on Admiralty-headed notepaper - says has not seen Bertie for many years. He is a brother of WSC's sister-in-law, Lady Gwendoline Spencer-Churchill.

Folio 21 passes this information to the Director of Mobilization.

Folio 22 is an acknowledgement on official War Office headed notepaper dated 11 April 1940 Ref E/73207 M.3. (A.G.12(b)

Folio 54 is a note to Mr Seal on 10 Downing Street paper dated 6 July 1940. Initialled in red by WSC it attaches a note about the Comtesse de Reneville who is British born, 1st cousin once removed of WSC married to a French officer and anticipating problems in getting ARP work in this country.

The volume also includes an account in The King's own handwriting of Air Raid Incident at Buckingham Palace 13 September 1940 An envelope annotated in pencil "Published in Vol 2 of War Memoirs".

1/357	1940	Exchanges, some on officially-headed notepaper about the difficulty caused by rationing to the carrying out of official entertainment at Chequers and at No 10. A H Harvey, writing on Ministry of Food paper on 28 June 1940 suggests a system such as that used for Foreign Ambassadors whereby special ration books are issued. OFFICIAL
1/361	1941	Contains a letter from The Queen in own handwriting about arrival of "Tiger". Exchanges with the Palace about grouse, venison, peaches sent by Their Majesties also birthday wishes telegrams.
1/365	1941	Chequers Trust - household accounts - further correspondence about "diplomatic coupons" OFFICIAL
1/369	1942	includes a very long letter from Randolph at Folio 11 about an operation he went on to sink ships in Benghazi. Says he had permission of CO to send account to WSC. marked SECRET and PERSONAL. letter of 15 November 1942 about a conversation Randolph had with "Flandin" - many references also to "Darlan".
1/375	1943	Cipher telegram marked "MOST SECRET" 14 September 1943 at Folio 53 - message to Randolph about not needing a by-election now. Volume contains much correspondence from Randolph who says he censors his own letters!
1/380	1944	Folio 52 is a letter from The Queen in her own handwriting 14 November 1944 thanking WSC for letter of sympathy on death of her father. Folio 37 is a letter from Princess Elizabeth thanking WSC for birthday present. Folio 57 is a letter on official paper from Lambeth Bridge House re Plate at 10 Downing St.

1/384 1944 The last three folios are exchanges between Mrs K Hill, Personal Private Secretary and R H Crudass, War Cabinet Offices, sending cheque for Mrs Churchill's return fare to Quebec. Crudass acknowledges receipt on official notepaper on 12 December 1944. Mrs Hill's letter is dated 11 December, her note to WSC asking him to sign the cheque is dated 21 November 1944.

1/385 1944 Contains correspondence between Mrs K Hill, Personal Private Secretary and Col Sir Eric Crankshaw of the Government Hospitality Fund (writing on Treasury Chambers paper) about overseas guests entertained at Chequers on official business. Crankshaw arranges for Treasury Accountant to make payments to the Secretary of the Chequers Trust.
Also contains correspondence with Ministry of Food about "diplomatic food coupons".
OFFICIAL

1/386 1945 Contents private

1/387 1945 Folio 18 letter from Randolph which mentions MULBERRY, PLUTO, OVERLORD dated 5 June 1945. Codenames now all known.

1/390 1945 Official lists of guests on official business at Chequers, diplomatic ration books etc.
OFFICIAL

Annex 3

CLASS 2

			Position held
28	1906	Apart from one private letter consists of official Secret and Confidential Documents on Army Organisation and Economies.	US of S for Colonies
31	1907	Contains material printed for use of Cabinet and marked Property of HBMG.	- do -
39	1909	Contains State papers within on UK Economy.	Pres Board of Trade
40	1909	Contains Official Secret Print on Army Estimates for official use only and an official report on a Cavalry Staff Ride held by War Office Director of Cavalry.	- do -
50	1910	Contains Document marked Property of HBMG Printed for use of Cabinet. Confidential Memorandum and papers in connection with the Small Landholders (Scotland) Bill.	Home Secy
53	1911	Contains note of conversation between the German Emperor and Sir John French. Undated but concerns events on August 2 and 3, 1911 during manoeuvres in Germany. Brief MSS note by W S C marked Secret on Naval matters but in party political context.	1st Lord
67	1915	Contains typed statements from official source and Exchange of letters between Prince Louis Battenburgh and W S C on the eve of First World War and Naval events on outbreak of War. (These all resulted in removal of Prince Louis from Admiralty.)	Chancellor Duchy of Lancaster
68	1915 and undated	Contains Print for use of Cabinet and marked Property of HBMG on Evacuation of Gallipoli together with other Secret State Papers by General Staff and telegram to admiralty on same subject.	Various

			Position held
73	1916	Contains very secret, secret and confidential Print marked "Property of HBMG". Printed for use of the Cabinet and/or use of the Committee of Imperial Defence: these are memoranda on "Cabinet and Conduct of War" a memorandum marked as above on "Variants of the Offensive" by W S C written as from General HQ British Army in the Field. Document printed for use of Cabinet is also marked in red print "To be returned to the Secretary Committee of Imperial Dence 2 Whitehall Gardens. Extract from Proceeding of a meeting of War Committee.	Not in Office
74	1916	CID letters: Secret and Confidential Print and Property of HBMG etc on the Dardanelles Enquiry.	- do -
75	1916	Manuscript and typescript of WSC's evidence to Dardanelles Commission of Enquiry. Secret Printed papers headed This document is the property "etc" Dardanelles Inquest - Statement by WSC.	- do -
76	1916	Bound volume of Statement by WSC on the Dardanelles Operation to end of 1st Phase. Typed version of Churchill's Statement (see 2/75 above) marked Secret.	- do -
77	1916	Another typed and bound version of WSC's Statement: Second and Final Part of Evidence.	- do -
78	1916	Another typed and bound version of above.	- do -
79	1916	Two printed versions headed "Secret" and 'This document is the property etc' (one version is Office amended in manuscript)	- do -
80 AND 81	1916	Documents Secret and Official: Printed Version of Statement amended in manuscript plus record of Dardanelles Enquiry.	- do -
82	1916	Printed version of Dardanelles Official document marked "The property etc". Amendments in manuscript.	- do -

			Position held
83	1916	Printed copy of Evidence of 5th Day: Examination of WSC dated 28 September 1916. Marked Confidential but ? presumably published. (Bears note Revised by WSC.)	- do -
84	1916	Copy of narrative of Lord Fisher on his connection with Dardanelles Operations (whole volume comprises typed copies of Dardanelles documentation annotated by by Fisher some papers of which were official on the original).	- do -
85	1916	Hankey Cabinet Office to WSC about secret matters in his statement which he should not divulge. Printed papers on Dardanelles all marked "This document is the property of" etc.	- do -
86	1916	Hankey Cabinet Office to WSC conveying Prime Minister's permission to see Secretary's notes on War Council Meetings. Rest of official papers.	- do -
87	1916	Copy of Dissenting Memorandum by M W Rock dated 22 September 1916.	- do -
88	1915-16	All copies of official telegrams and correspondence on Dardanelles: Extracts and Print.	Duchy of Lancaster
89		Miscellaneous papers and print all official on naval and military attack upon Dardanelles: Memoranda by General Staff and Director of Naval Intelligence.	Various
90	1917	Contains official Intelligence Bureau papers on torpedoes carrying planes and sea planes.	Not in Office Min of Munitions
92	1916-18	Government documents to WSC on Naval situation.	Min of Munitions
93	1914-17	Minor Extracts from Cabinet Papers on aeroplane: Admiralty aeroplane contracts from US.	Various
95	1917	Official Reports of Naval Armoured Car Division in Russia.	Min of Munitions
97	1916-17	Official Secret papers on Dardanelles Honours Correspondence.	- do -

			Position held
98	1915-17	Official Print: Statement made by WSC on Second and Third Day of Commission of Enquiry on Dardanelles.	- do -
99	1915--17	Official Print: Dardanelles Enquiry. Documents appended to Churchill Statement.	- do -
100	1917	Official Print: Minutes of Evidence sent to WSC to enable a Statement to be prepared (minutes marked "not to be communicated to a 3rd Party").	- do -
101	1917	Official Final Report on Dardanelles Part II	- do -
102	1917	Official Print: Final Report on Dardanelles and letters WSC to Lord Chiefs Justice Pickford (3 copies).	- do -
106	1919	Honours: Recognition of Baltic States Repatriation of Russian Prisoners of War.	Secy of State for War and Air
109	1919	Report on Tank Awards: Royal Commission on Awards to Investors Statement to Royal Commission.	- do -
114	1921	Code breaking in relation to "Goeben" Affairs in Mesopotamia.	Secy for Air and Colonies
117	1921	Contains a report (CRAF/96/3/Pt 2/A Copy No 11) by Lt Col Rawlinson on Treatment of Party while Prisoners of War in Turkey 1920-21.	S of S for War and Air
122	1922	Contains withheld papers (2 folios) and an Official Cabinet Paper CP 3948 on Socialist and Revolutionary Schools Memoranda by Home Secretary.	S of S for Colonies
169	1930	Contains withheld papers (3 folios).	

			Position held
178	1931	Contains document Property of HBMG on Great Britain and War Debts (Revised 1931).	Not in Office
179	1925-31	Contains FO PRINT document marked Property of HBMG. Marked to be returned FO.	Various
188	1932	Contains document property of HBMG Confidential Report on work of the Preparation Committee for World Economic Conference.	Not in Office
243	1935	Contains official comment on letters, articles and information sent to W S C on dangers in Europe.	- do -
244	1935	Contains translations of German Documents by Committee of Imperial Defence sent to them for this purpose and for their information by W S C.	- do -
266A	1936	Contains withheld papers (2 folios).	
271	1936	Contains official papers handed to Churchill by various Service Officers.	- do -
272	1936	Contains official papers and comment on Royal Navy and Fleet Air Arm from various sources.	- do -
273	1936	Contains Foreign Office Print: Minutes and Despatches sent to him privately.	- do -
278	1936	Some official material on Inventions.	- do -
281	1936	Some Industrial Intelligence material with request they should be returned to source.	- do -
296A	1937	Contains withheld material (2 folios)	- do -
296B	1937	Contains withheld material (1 folio)	- do -
297	1937	Contains withheld material (13 folios)	- do -
299	1937	Contains information sent to W S C by Air Ministry.	- do -
303	1937	Contains comment by Committee of Imperial Defence on the private paper on RAF duly returned to W S C.	- do -

			Position held
304	1937	Contains papers from Air Ministry and copy of lecture given by Air Chief Marshal Sir Hugh Dowding on Fighter Tactics.	Not in Office
305	1937	Contains letter from Committee of Imperial Defence on Fleet Air Arm.	- do -
306	1937	Contains correspondence with Minister Co-ordination of Defence.	- do -
314	1937	Contains withheld papers (2 folios) also official papers on situation between UK and Italy on Abyssinia.	- do -
335	1938	Contains papers on aircraft types.	- do -
337	1938	Contains papers marked Property of HBMG Higher Command in War. Also Industrial Intelligence document.	- do -
338	1937-38	Contains official papers including RAF Intelligence summaries: List of Air Ministry Staff and lists of Duties marked "for official use only" together with other Air Ministry documents given to W S C by officers serving in RAF.	- do -
339	1938	Contains official papers handed over by serving officers in RAF.	- do -
357A	1939	Contains Industrial Intelligence Centre document on Higher Command in War.	- do -
363	1939	Contains correspondence on accommodation in Admiralty House.	1st Lord
366	1939	Contains a number of Cabinet Papers on varying subjects.	1st Lord
371A	1936-39	Contains a memorandum on Sea Power dated before his return to office.	Not in Office/ 1st Lord
371B	1936-39	Contains withheld papers (6 folios)	1st Lord
372	1939	Contains booklet marked 'for official use only' Air Ministry Orders.	Not in Office
374	1939	Contains papers on German Military and Economic Intelligence.	- do -

			Position held
386	1939	The papers are predominantly official.	1st Lord
392-399	1940	Personal Correspondence.	PM
410	1940	Official Papers.	- do -
416-423	1941	Personal Correspondence.	- do -
424-425	1941	General Public Correspondence Companies in UK Foreign Countries.	PM
434-437	1941	Correspondence on Gifts.	- do -
439	1942	ffs 72-90 New Year Greetings to Heads of State.	- do -
440-447	1942	Personal Office Correspondence.	- do -
448-449	1942	Correspondence from General Public.	- do -
456-459	1942	Gifts from abroad.	- do -
463 470	1943	Personal Office Correspondence.	- do -
471-479	1943	General Public Correspondence.	- do -
486-488	1943	Gifts Correspondence.	- do -
490	1944	Miscellaneous Correspondence.	- do -
491-498	1944	Personal Office Correspondence.	- do -
499-506	1944	General Public Correspondence.	- do -
521-526	1944	Gifts Correspondence.	- do -
527	1945	Miscellaneous Correspondence.	- do -
529-536	1945	Personal Office Correspondence.	- do -
537-544	1945	General Public Correspondence.	- do -

Dardanelles papers ANNEX Annex 4

Class 2	Folio	
74	1-2	Re copy of telegram at ff2. Sent by Sir Ian Hamilton to Vice Admiral de Robeck on 30th March 1915.
	3	See 'A' below.
	4	Damaged copy of Committee ~~if~~ of Imperial Defence No 529 of June 7, 1916 (Sgd MPA Hankey) to Admiralty War Office, Foreign Office asking them to make a collection in their offices of the papers giving the views of those responsible as to which papers can be published without detriment to the public interest on Dardanelles operations
	5	Transmits a copy of ff 4 to WSC and looks forward to one more document from WSC to add to those already sent.
	6	MPA Hankey, Committee of Imperial Defence to WSC. Extract: "I am not having your set of papers printed at present because there will be a considerable number of additional papers to be printed" and he awaits Admiralty and War Office lists. "I have, however, had reproduced all those that are not in print and hope to let have the originals back early next week".
	7-9	See 'B' 'C' and 'D' below.
	10	MSS in green pencil Dear Winston Herewith the 4 prints you wished me to return to you that you mentioned to me this morning. Yours F.
	11	See 'E' below.
	12	
	13	Document property of HBMG: Printed for use of the Cabinet October 1915 CONFIDENTIAL (10 pages) No headings. Begins:- "At the War Council held on the 19th, 14th and 26th February, after it had been decided to begin the purely naval attack upon the Dardanelles I repeatedly urged that an army should be collected in the Eastern Mediterranean etc etc". Printed at the Foreign Office 7/10/15 Initialled WSC no date no address but

Class 2 74 (contd)	Folio	
	13	presumably memorandum referred to in folio 12 above.
	14	See 'F' below. This is marked COPY ~~&~~ and is in small type.
	15	See 'G' below.
	17-19	Letter to Sir Ian Hamilton from General Callwell. See 'H' below.
	20-21	See 'J' below.
	23-25	See 'K' below. (See also 'P')
	26-27	MSS letter Sir Ian Hamilton to WSC about cables on re-inforcements Undated.
	28	MSS letter from Sir Ian Hamilton to WSC to remind him about shortage of ammunition was also a major factor. Undated.
	29-31	Typed see 'L' below.
	33	Typed original Sir Ian Hamilton to WSC See 'M' below.
	34-36	MSS draft. See 'N' below.
	37-38	Marked copy ~~See 'P' below~~. (Copy of 'K' above)
	39-40	Typed on Admiralty notepaper Sir Graham Greene to WSC on Papers - three Minutes dated 12th 13th and 15th January 1915.
	41	Sir Graham Greene sends at Churchill's request copies of two Minutes which are not in WSC's collection: Two telegrams dated 15th and 20th January 1915 follow.
	47	See 'Q' below.
	48	Document property of HBMG (19 pages) SECRET The Dardanelles Enquiry Notes for Evidence by Lt Col Sir Maurice Hankey, Secretary, Committee of Imperial Defence. Stamped in red top left hand corner "Uncorrected Proof" Top right hand corner in MSS Mr Churchill. Unsigned Undated.
	50	PRINT (6 pages) Document Property of HBMG Reprinted for Committee of Imperial Defence September 1916 SECRET G-2.

Class 2	Folio	
74 (contd)	50	Stamped in Red Ink. "To be returned to the Secretary of the Committee of Imperial Defence 2 Whitehall Gardens at the Conclusion of the Enquiry".
		COMMITTEE OF IMPERIAL DEFENCE THE WAR Suggestions as to the Military Position Memorandum by the Rt Hon D Lloyd-George Chancellor of the Exchequer. January 1, 1915. Initialled DLG.
	51	PRINT marked SECRET Arrangements with the French: Mr Churchill sends to Lord Kitchener an Admiralty note he has dictated 16 January 1915. Another about Bombardment of Dardanelles Fleet Concentration Scheme prepared by the Chief of Admiralty War Staff 25 January 1915. Arrangements with the French 26 January 1915 and 2 February 1915. Appreciation submitted to the Prime Minister, Chancellor of the Exchequer and Mr Balfour and used by Churchill to argue from in the War Council of 26th February. Note prepared by the Admiralty Transport Department: Transport for the 29th Division (WSC to Kitchener) Naval Forces entry to se of Marmara [sic] (WSC to Kitchener) Naval arrangements with Russians 13th January 1915 etc etc.
	65-72	See 'R' below.
	75-76	See 'S' below.
	77-78	See 'T' below.
	79	See 'U' below.
	80-85	Narrative by Lord Fisher of his connection with the Dardanelles operations (copy typed on plain paper).
	86-88	Copy of a Secret letter sent by Lord Fisher to Mr Asquith by hand on 2 June 1916.
	90	See 'V' below.
	93-97	See 'W' below.
	98-102	Churchill to Asquith sending marked Passages (See 'X' below). Returned with Prime Ministers Compliments and thanks 1 November 1916.

Class 2	Folio	
74 (contd)	103	See 'Y' below Typed marked WSC Put away.
	104	Pencilled "K's Statement to War Council" 14th May 1915 Marked COPY SECRET. "When the Admiralty proposed, to force the passage of the Dardanelles by means of the Fleet alone, I doubted whether the attempt would succeed....."
	113	PRINT Document marked Property of HBMG CONFIDENTIAL Remarks by Admiral of the Fleet Sir Arthur Wilson on the Paper and Evidence of Major General Hickman.
	114-116	Document marked Property of HBMG. Reprinted for Committee of Imperial Defence, September 1916 SECRET. Stamped in red ink "To be returned to the Secretary CID" etc. Extract from Minute of the 96th Meeting of War Council held on Feb 28, 1907 [sic] The Dardanelles Committee of Imperial Defence Paper 92B) Attached papers dated February 1915.
	117	Buff cover for Documents appended to Mr Churchill's statement on the 2nd and 3rd Phases of the Dardanelles Operations SECRET 1st Lord May 14, 1915. Various PRINTS. A note by the Admiralty Transport Department: move ~~More~~ of the 52nd (Lowland) Division 11 May 1915: Memorandum WSC for the War Committee 11 January 1915 includes Reproduction of Papers printed for the use of Cabinet July 1915. Circulated October 6, 1915 Reprinted February 1917. CONFIDENTIAL "At the War Councils held on 19th 24th and 24th February after it had been decided to begin the principal Naval attack upon the Dardanelles." Another printed for use of Cabinet October 1915 Reprinted February 1917 CONFIDENTIAL GALLIPOLI WAR COMMITTEE NOTES 20 October 1915.

Henry Jackson's detailed plan of attack should (it seems to me) certainly be included.

I have re-read my Memorandum on General Naval Policy which I sent you on January 25th 1915, and Mr. Churchill's remarks thereon dated January 27th 1915, in consequence of which we had the interview with you at which your decision in favour of the Dardanelles operations was given. There is a serious objection to the publication of these two documents because of the light they throw on our Naval position and policy—therefore it may be sufficient (so far as I am concerned) to insert the following paragraph embodying briefly the main purport of my paper, thus:—

No. ——

Memorandum by Lord Fisher on General Naval Policy, deprecating the use of Naval Force in Coast Operations unsupported by Military Force and emphasising the supreme importance of maintaining the unchallengeable strength of the Grand Fleet in the Decisive Theatre.

'A'

Winston S. Churchill to H. H. Asquith

(Draft, Churchill papers: 2/74)

2 June 1916 41 Cromwell Road
Private

My dear Prime Minister,

Wd it not save your time, if you sent Hankey to me to arrange what shd be published about the Dardanelles & Gallipoli operations? I wd explain to him my views with wh I think you will be in general agreement. The series of papers wh I wish to have published cd then be printed provisionally & circulated with those wh others affected may choose. It may be that a few additions will then be thought necy.

I shd be ready with my papers to see Hankey on Monday morning—if you think this course convenient.

With regard to the War Council minutes I agree with you that their general publication raises many difficulties tho I make no personal objection. The main point I wish to establish from them is my demand on behalf of the Admiralty on the 27th of Feb for the immediate despatch of the 29th Division & two Territorial Divisions in addition to the other troops. I also think that the decision of each War Council meeting about the Dardanelles shd be shortly stated, with the names of those who were present. This last I think vy important. Nearly everyone of consequence was present

when the original decision to begin a purely naval attack was taken. I presume that I may refresh my memory from the records of any meeting in wh I was concerned.

I am profoundly grieved at the result of the naval encounter.[1] The neglect to execute punctually the destroyer and battlecruiser construction programmes is now vy regrettable.

Yours vy sincerely
W

Winston S. Churchill: statement[2]

(Churchill papers: 2/71)

3 June 1916

Mr Churchill said: I have had an opportunity of examining the reports of the admirals, and of considering the information in the possession of the Admiralty. The following facts seem to me to be established:

1. The naval supremacy of the British fleet in capital ships depends upon the super-Dreadnoughts armed with the 13·5 inch and 15-inch guns, and these are sufficient by themselves to maintain control of the seas. Of these vital units of the first rank, we have only lost one—the 'Queen Mary'. There appears to be no doubt that the Germans have lost at least one comparable ship. If this should be the 'Lützow' or the 'Derfflinger' that vessel is a heavier loss to them, actually and relatively, than the 'Queen Mary' is to us.
2. Coming to vessels of the second order, we have lost 'Indefatigable' and the 'Invincible.' These are of an entirely different class from the super-Dreadnoughts and, valuable vessels as they are, do not rank as primary units at the present time. A Dreadnought battleship of the 'Westfalen' type, destruction of which is admitted by the Germans, would be a loss comparable to either. The armoured cruisers 'Black Prince', 'Defence' and 'Warrior' belong to the third order of ships, of which we possess a very large superiority. The sinking of the two brand new German light cruisers 'Wiesbaden' and 'Elbing' is in fact a more grievous loss to the enemy.

In all these vessels the most serious feature is the loss of their splendid and

[1] The Battle of Jutland, fought on 31 May and 1 June 1916. The British lost 3 Battle Cruisers, 3 Cruisers, and 8 Destroyers; the Germans lost 1 Battleship, 1 Battle Cruiser, 3 Cruisers, 4 Light Cruisers, and 5 Destroyers. 6,097 British sailors were killed (8·8% of the total strength); 2,551 Germans were killed (6·79% of the total strength).

[2] On 3 June 1916 Balfour asked Churchill to issue a reassuring statement about the battle of Jutland, after the public unease which had followed the reading of the official Admiralty statement of the battle issued on 2 June. Churchill's statement was given by the Press Bureau to all newspapers at 10.20 pm on 3 June.

be done, by women, men over age, or unfit, (like myself) or better still, by the boys who have already had a good turn, the other side.

If as things are, its quite impossible to run a mess with-out all these fit men, why not cut out, all the peace-time ceremonies, the five course late dinner, passing the port, etc, and, have a simpler meal?

It would no doubt take a lot of diginity, from the mess president, but that would be well balanced by the number of men released for useful service.

If you make use of this information might I ask you, if possible, to keep its source secret, firstly because I am rather ashamed of giving away the show, that employs me, secondly I should no doubt be discharged with a reference, that would not readily get me other employment. But I have felt very strongly on this subject, ever since August 1914, when I started trying to do my bit, in barrack and camp, for most messe's are the same. In a few cases, the caterer supplies waiters, not often.

I am enclosing a copy of a reference, recently given me, by one of my officers, as a little proof that this letter, is written without malice, or to air any private grievance,

I am dear Sir, Your obedient servant
H. C. Waterlow

To whom it may concern.

Waterlow has been my servant in this mess for eight months, he has proved most satisfactory, he is civil and punctual, and above all he is willing, and trustworthy

E. M. Gosse[1]
Lt A. S. C.

Lance-Corporal Urquhart to Winston S. Churchill

(*Churchill papers: 2/71*)

[June] 1916

18533 Lc Urquhart
18th Company
Machine Gun Corps
9 Div BEF France

Sir,

Having been put here for almost 15 months I feel very much run down and the great need of a change.

[1] E. M. Gosse. 2nd Lieutenant (temporary commission), Army Service Corps, November 1915. Temporary Lieutenant, July 1917. He was awarded the Military Cross in 1917.

Is there nothing Sir for a British soldier but to carry on no matter how long until he is either killed or wounded.

Going out and in the front line trenches week after week month after month under a great strain every time we hear the crash of a bursting shell would it not take effect some way even on the strongest.

Starting with Armentières, Sir, from that to Festubert, Richeburgue, I was then in the 10th H. L. I. and was one of the few that survived Loos.

Patched up again Sir we endured the long winter months in Ypres. Next we went to Le-Bizet and now I have come out of another engagement which will never be forgotten.

Very few of the old hands were left and the most of them fell by my side on Longueval, and Delville wood.

We have now been withdrawn Sir a new detachment awaits us here has the few worn out depressed ones to go back.

'B'

Winston S. Churchill to H. H. Asquith

(*Copy, Churchill papers: 2/74*)

8 June 1916
Private

Blenheim Palace

My dear Prime Minister,

On reading through the minutes of the War Council meetings wh dealt with the Dardanelles, I was convinced that they ought to be published & that they cd without any public disadvantage or personal unfairness be published. It wd be a good thing if you told Hankey to have the extracts typed so that you cd consider them. They are not lengthy and far the best presentation of the case. A short note might be prefixed to the effect that the minutes are only what the secretary considered was the general purport of what each speaker said and that they represent only his summary of full & detailed discussion.

You will readily understand my wish that the truth shd be known. Not a day passes without my being the object of unjust reproach & now that poor Kitchener is gone I cannot see that the fortunes of the Ministry will be in any way prejudiced. The genesis of the operation is the vital point & your interest in showing that it was soberly & carefully entered upon is the same as mine. Meanwhile, your acceptance of general responsibility in the House though most full & frank helps me not at all.

Only the facts can tell the tale: and the public ought now to have them.

Yours vy sincerely
W

Winston S. Churchill to H. H. Asquith

(Copy, Churchill papers: 2/74)

22 June 1916 41 Cromwell Road

My dear Prime Minister,

I have had a letter from Hankey about the War Council minutes. The three meetings wh are important are the 13th & 28th January & the 26th of February. The 28th of Jany meeting shows the strong manner in wh I brought the detailed Admiralty plans before the Council & the strong support of the naval project given by you, Grey, Kitchener & A. Balfour & Fisher's note of dissent. The February meeting records my disclaimer of responsibility if a military disaster occurred through adequate troops not being sent in time to deal with the situation that might arise during the naval operations, or as their consequence. I also then specified the divisions wh shd be sent comprising altogether over 100,000 men & undertook with Fisher's full support, to carry them to the Eastern Mediterranean by the 21st of March. The minutes show that my disclaimer was not an ordinary incident of discussion, but that I asked formally & at the time that my dissent shd be placed on record. You must see that this fact is vy important for a true judgment on the event. Perhaps you can suggest some other way in wh it can be brought out, without a textual publication of the minutes. I am sure your sense of fairness wd not acquiesce in its suppression.

Yours vy sincerely
W

Mrs G. Gillespie to Winston S. Churchill

(Churchill papers: 2/71)

23 June 1916 Burton Lodge
Lygon Rd
Edinburgh

Sir,

I was glad to see from the press, that at the last sitting of house you brought up the question of wounded men being again sent back to the front.

My second Son a Lieut in the 1st Batt of a certain Highland Regt was badly wounded at Loos on 25th Sept last, being hit in no less than five places, twice *seriously* in the head.[1]

[1] Five commissioned Gillespies from Highland regiments fought at Loos: two in the Gordon Highlanders, two in the Highland Light Infantry, one in the Seaforth Highlanders. I cannot discover which one was Mrs G. Gillespie's son.

He was at home for over six months, but is now doing light duty in Kent.

He expects to be shortly sent to the Depot & will probably be sent out with a draft.

Seeing that there are *hundreds* of *thousands* of fit & willing men anxious to go out and do their bit, I certainly consider this returning of wounded men an absolute scandal. These men have been through the mill, and in *few* cases have they much heart for going out again.

I trust that you will press this matter still further when opportunity arises.

Apologising for writing you.

Yours faithfully
G. Gillespie

PS I may say I expect to have five sons serving by next month.

Major Booth[1] to Winston S. Churchill

(Churchill papers: 2/71)

28 June 1916 1/7 West York
BEF

Sir,

Many readers of your Speech on Rifle & Ration strength endorse every word you have uttered & hope that you will hammer away at the subject until the matter is properly adjusted. All the standing charges of a Battn go on whether the total is 600 or 1200 & every extra man beyond the 600 means a real addition to the fighting strength. Another matter which calls for prompt attention is the costly organisation of the ASC, it is quite safe to say that the strength of each company could be reduced as under without seriously affecting the supplies to troops.

Officers from 40 to 50%
Staff Sgts ,, 15 to 20%
Other ranks ,, 20 to 30%

The force consists of young men who are all fit for fighting & the work could very easily be done by old men or men who have been badly shaken by trench work. If asked to do so I could give some rather startling evidence on this subject. The question of horse transport also calls for very careful examination. The use or mis-use of Motor Cars would also repay one for careful enquiry.

I remain Yours respectfully
E Booth

[1] E. Booth. Quartermaster, Leeds Rifles, 1902. Major, West Yorkshire Regiment, 1916–19. Lieutenant-Colonel, 1920.

July 1916

Winston S. Churchill to Edward Marsh

(Marsh papers)

1 July 1916 41 Cromwell Road

My dear Eddie,

Many thanks for yr letter & its enclosures.[1] I will not vex my soul about oil at present.

With regard to my articles:[2] I am not now receiving pay from Army Funds & have no military employment—In these circumstances—is there any obligation on me to submit the proofs officially to the censor. They do not touch any military matters except what happened nearly 2 years ago & then only in a vy general way. FO I am consulting because they are a little more concerned.

Yours ever
W

Edward Marsh to Winston S. Churchill

(Churchill papers: 2/74)

4 July 1916 10 Downing Street

My dear Winston,

I've been talking to MS [Masterton Smith] about the Dlles papers,[3] & he wants me to make it quite clear that the Admly have no desire whatever to

[1] Not found.

[2] During July Churchill wrote a series of four articles for the *Sunday Pictorial*. They dealt with the coming of war, the mobilization of the Fleet, the opening months of the war, and the siege of Antwerp. The article on the siege of Antwerp became the basis for the Antwerp chapter of *The World Crisis*, published in 1923.

[3] In the House of Commons on 1 June 1916 Churchill had urged Bonar Law: 'Publish everything. . . . Publish everything that the public interest allows you to publish.' Bonar Law had replied 'that it is the intention of the Government to lay the Papers on the Table as soon as possible. It is quite obvious that, if a story is to be told, then the whole of it should be told'. The Government's intention, he said, 'is that nothing shall be withheld which is not against the public interests'.

prevent publication. Neither AJB nor the Admy were consulted in any way before BL's pledge was given, they accepted the situation, and AJB issued an instruction that a naval contribution was to be prepared. The delay in carrying this out has nothing in the least deliberate, still less sinister, about it. There are hundreds of telegrams to be gone through, besides those which figure in your file—the War Staff is at work on them, but it is a matter which *must* take time, & of course they haven't much to spare.

Yours always
E

Major-General Callwell to Sir Reginald Brade

(Copy, Churchill papers: 2/74)

4 July 1916

Sir R. Brade,

I have gone through the papers which you sent me with regard to the Dardanelles operations, in view of some of them being prepared by the C.I.D. for presenting to Parliament.[1] Mr. Churchill proposes that certain documents should be included, but I cannot see that these are selected on any definite plan. If official papers are to be published at this stage, it is necessary that some intelligible system shall be adopted with regard to arrangement, and that the interests of the various actors in the drama shall be kept in mind. Being no longer on the active list I can express myself bluntly with regard to transactions that, taken as a whole, do not redound to the credit of the Admiralty, or of the War Office, or of H.M. Government.

(1) For practical purposes, the Dardanelles affair may be considered to have consisted of three separate stages:—

(a) The preliminary examination of the subject and the course taken by the operations, up to the date when Sir I. Hamilton's army landed on the Gallipoli Peninsula.

(b) The period from the date of that landing up to, and including, the landing at Suvla Bay and the fighting immediately succeeding this.

(c) The period between the date when the Suvla Bay enterprise and the attacks which took place simultaneously at other points may be considered to have definitely failed, and the date of the evacuation of the peninsula.

[1] Major-General Callwell had been succeeded by Sir Frederick Maurice as Director of Military Operations in June 1916, and was on retired pay; he had been asked by the War Office to help go through the Dardanelles documentation and to advise on what could and could not be published.

for the post in question[1]—but is very sympathetic and as you wish it, notwithstanding his own views he will push it. Nothing could be better than his reception of the suggestion.

All good wishes

Yours always sincerely
Rufus

Sir Maurice Hankey to Winston S. Churchill

(Churchill papers: 2/74)

19 June 1916 Committee of Imperial Defence
Private

Dear Mr Churchill,

In regard to your letter of the 14th June, I shall be very glad to see you whenever you are to look in to complete your study of the War Committee Proceedings.

The Prime Minister asked me to answer your private letter of the 8th of June in regard to the suggestion that the Minutes of the War Council Meetings dealing with the Dardanelles should be published. The Prime Minister asks me to say that he is inclined to think that at present, at any rate, it would not be in the public interest to publish these Proceedings. His reason for this view is not so much that he sees any objection from the point of view of these particular Proceedings, a matter on which he will not express a final opinion without a closer study of them, as for the reason that it would offer a bad precedent. If the Dardanelles Proceedings of the War Committee were published, it would be very difficult to resist a pressure to publish proceedings in regard to other aspects of the war which might not be in the public interest. Moreover, the mere fact that these Proceedings had been made public would tend to limit freedom of discussion at the War Committee, as Members could hardly resist having their free expression of views hampered by the fact that their remarks were liable to publication.

Yours sincerely
M. P. A. Hankey

[1] Churchill hoped to succeed Lloyd George as Minister of Munitions after Lloyd George had become Secretary of State for War. The new Minister of Munitions was Edwin Montagu, who was appointed on 9 July 1916.

Winston S. Churchill to Lord Fisher

(Fisher papers)

20 June 1916 41 Cromwell Road

My dear Fisher,

I have received the enclosed from Hankey which makes it all the more desirable that you should read the minutes of the meeting as soon as possible.

I hear from Ian Hamilton that the Admiralty are now jibbing at the publication, no doubt in the interests of Sir Henry Jackson.

This matter continues to be of great importance as the refusal on the part of the Government to publish now would be very prejudicial to them. So will the publication.

Yours ever
W

Winston S. Churchill to John Churchill

(John Churchill papers)

21 June 1916 41 Cromwell Road

My dear,

Goonie will have told you all the news. I am so glad you were able to go to Parigi to see her. The situation here is vy uncertain: & I do not know whether I shall be offered munitions or not. The Press is amazingly vicious & I count only on the publication of the Diles papers to turn their mood. These will much embarrass the Government. I am sorry that the end of poor old K shd have come at this moment. For his own sake it was a good exit—the glory had departed, the clouds were gathering & night drew near. I will write again when things are settled. I am quite resigned to a further period of detachment & do not care vy much one way or the other. But for the war I wd not dream of acting with these people.

I do hope you will keep out of danger except when duty requires it.

I have made friends with Mr Hughes. We are all trying to secure the command of the Australian army for yr general.[1] LG has the highest opinion of him & I am sure his prowess will soon be recognised. He is the only one—or almost the only one. Give him my best regards.

Forgive me for not having written sooner or oftener.

Yr ever loving brother
W

[1] Birdwood commanded the Anzac Corps in France from May 1916 to May 1918. His Corps formed part of the Second Army, commanded by Sir Herbert Plumer. He was temporarily in command of the Second Army, December 1917–March 1918, while Plumer was in Italy.

As it happened I was sent over to Paris immediately after the news arrived of your successful landing and I was away about a fortnight without knowing what was going on. A day or two after my return, and when I had seen the telegrams of the interim and had discovered the lie of things, Lord K sent for me about something when Grey was with him, and I then told them that we should fail to get the Straits unless Grey could get the Bulgars or the Greeks in. I purposely put it more strongly than the situation quite justified because I wanted to impress them. It had the desired effect. . . .

Yours sincerely
Charles E. Callwell

Winston S. Churchill to Andrew Bonar Law

(Bonar Law papers)

6 July 1916 41 Cromwell Road

My dear Bonar,

I am concerned to see yr son[1] has been wounded. I hope that it is not serious or likely to be lasting in its effects. If not it may be a relief to yr anxieties.

I cannot help feeling selfishly glad my little boy is so young. It is a wearing strain to be so painfully involved in the struggle.

Don't bother to answer.

Yours sincerely,
Winston S. Churchill

Winston S. Churchill to David Lloyd George

(Copy, Churchill papers: 2/74)

7 July 1916

My dear Lloyd George,

I am told that General Callwell who was deputed to consider and report on the Dardanelles and Gallipoli documents from the War Office point of view, has sent a minute to you on the subject of the papers for whose publication I have asked in which he suggests certain omissions and suppressions. I daresay there may be passages in the papers which affect the Foreign Office or foreign powers and you will find me very ready to acquiesce in the

[1] Jim Bonar Law, 1894–1917. Captain, Royal Flying Corps, 1916. Crashed in France when he tried to avoid a convoy of motor lorries which was crossing the airfield as he was taking off; he suffered severe concussion. He was killed in action in 1917.

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Will you let me know what you decide?

Yours very sincerely
Winston S. Churchill

Winston S. Churchill to H. H. Asquith

(Copy, Churchill papers: 2/74)

8 July 1916 41 Cromwell Road

My dear Prime Minister,

I wrote to you on the 22nd of June on a point connected with the publication of the Dardanelles and Gallipoli papers. I quite understand that you have been too busy to attend to it; but now that the Irish difficulty in the Cabinet has been surmounted I should be glad to hear from you on the subject of my inquiry.

I am also anxious to obtain from you an assurance that dilatory measures will not be allowed to prevent the publication being made while Parliament is sitting. More than six weeks have already passed since the promise to lay the papers was made to the House of Commons: and if I may judge from reports that have reached me there are some indications that an obstructive attitude is being adopted.

I propose therefore unless I hear from you some reasons to the contrary to put a series of questions on the notice paper.

Yours sincerely
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Winston S. Churchill to H. H. Asquith

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13 July 1916 41 Cromwell Road

My dear Prime Minister,

I have your letter of the 12th for which I thank you.[1] I had already learned that the Government had decided to depart from their undertaking to lay

[1] Asquith had written to Churchill to say that the Dardanelles documents could not, after all, be laid before Parliament. On 18 July 1916 Asquith explained to the House of Commons that the Admiralty, War Office, and Foreign Office were 'unanimously of the opinion that the publication at the present time of papers could not be made . . . without omissions so numerous and so important that the papers actually presented would be incomplete and misleading'. On 20 July Asquith announced the setting up of a Select Committee under the Chairmanship of Lord Cromer, 'to inquire into the conduct of the Dardanelles operations'.

(2) In my opinion the papers now to be presented should deal only with the first of the three stages, and the detailed notes which I attach are drawn up on the assumption that my view is accepted.

There are strong objections to the second period (b) being dealt with, objections which are apparent to anybody acquainted with the facts. Sir I. Hamilton's divisions were not kept up to establishment at any time subsequent to his operations definitely commencing; this was undoubtedly one of the causes of failure. His divisions were not kept up to establishment because we had not got the men to send out. This was because recruiting had broken down, and at a time when (unless my memory is at fault) members of H.M. Government were informing the public that all was satisfactory in respect to recruiting. Any papers published on the subject which do not let the cat out of the bag with regard to the shortage of drafts will be unjust to Sir I. Hamilton and to his army. If, on the other hand, the truth be told it will be impossible to conceal the fact that Lord Kitchener's scheme for creating a great British army for the war without resorting to Compulsory service had been proved to be impracticable as far back as May 1915, and it will be difficult to conceal the fact that he did not keep his colleagues in the Cabinet fully informed on this very important point. All this will eventually have to come out. But in view of his very recent death and also in view of the attacks which the Government—the pre-coalition Government—will lay themselves open to it will be much better to defer making anything public with regard to period (b) until the war is at an end.

The objections to publishing anything further about the period (c) are equally apparent. Sir I. Hamilton was still kept short of drafts. The controversies concerning the Suvla Bay operations will break out afresh. The extraordinary story about sending out Sir C. Monro to relieve Sir I. Hamilton, with full powers, about H.M. Government refusing to accept his decision about Lord Kitchener going out and eventually agreeing with Sir C. Monro, and about the Cabinet putting off the evacuation till mid-winter because they could not make up their minds, thereby enormously increasing the dangers of the operation, will have to be told. It will all come out in due course. But this is hardly the time for publishing the tale, and there can be no question of publishing a tale which is not a true one.

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Lord Kitchener did not approve of the naval attack upon the Dardanelles. Nobody at the War Office who knew what was going on did. He however accepted the Admiralty view, more or less under protest. On the other hand, he did not expect the Turks to put up the fight they did when military operations commenced believing that they would give way when they realised that we meant business; and that was where the War Office went wrong. I felt considerable doubt on the point, but could not of course set my opinion on a question so closely connected with the Oriental character against his. The consequence however was that we had no settled plan of operations for securing the Dardanelles by military effort, as is indeed shown in the orders given to Sir. I. Hamilton when he left to take command; these Mr. Churchill proposes to print, and they must of course appear. . . .

Major-General Callwell to Sir Ian Hamilton

(*Copy, Churchill papers: 2/74*)

H

5 July 1916

Dear Sir Ian,

. . . It seems to me quite impossible to publish correspondence and telegrams dealing with the operations subsequent to your successful landings, because they must give away Lord K if the story is fairly told. The tragedy of the 'Hampshire' simply precludes publication at present. As the Prime Minister has promised papers and as Churchill asks for them, something must be laid on the table of the House, and the documents which Churchill proposes, if modified as I propose, will do no great harm to anybody except the Admiralty people, and they will I suppose be consulted.

. . . the two messages of yours that I suggest should be included were practically to the effect that you realised that an elaborate land attack on the peninsula would have to take place, seeing that the fleet had failed to make good. Your orders went on the assumption that the fleet would make good, that all you would have to do would be to help by landing parties in finishing off batteries until the fleet was through the Straits, and that your real task would only begin then. In the papers published it is necessary to show that the situation became completely transformed by the time that you had got out—anyway a day or two after you got out—and that requires to be made plain.

I remember being in Lord K's room with yourself and Braithwaite when he was giving you verbal instructions, and it did seem to me that the difficulties in the way of forcing the Dardanelles were not appreciated by him. He always thought till May that the Turks would practically throw up the sponge.

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(Bonar Law papers)

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July 1916

Winston S. Churchill to Edward Marsh

(Marsh papers)

41 Cromwell Road

1 July 1916

My dear Eddie,

Many thanks for yr letter & its enclosures.[1] I will not vex my soul about oil at present.

With regard to my articles:[2] I am not now receiving pay from Army Funds & have no military employment—In these circumstances—is there any obligation on me to submit the proofs officially to the censor. They do not touch any military matters except what happened nearly 2 years ago & then only in a vy general way. FO I am consulting because they are a little more concerned.

Yours ever
W

Edward Marsh to Winston S. Churchill

(Churchill papers: 2/74)

10 Downing Street

4 July 1916

My dear Winston,

I've been talking to MS [Masterton Smith] about the Dlles papers,[3] & he wants me to make it quite clear that the Admly have no desire whatever to

[1] Not found.

[2] During July Churchill wrote a series of four articles for the *Sunday Pictorial*. They dealt with the coming of war, the mobilization of the Fleet, the opening months of the war, and the siege of Antwerp. The article on the siege of Antwerp became the basis for the Antwerp chapter of *The World Crisis*, published in 1923.

[3] In the House of Commons on 1 June 1916 Churchill had urged Bonar Law: 'Publish everything. . . . Publish everything that the public interest allows you to publish.' Bonar Law had replied 'that it is the intention of the Government to lay the Papers on the Table as soon as possible. It is quite obvious that, if a story is to be told, then the whole of it should be told'. The Government's intention, he said, 'is that nothing shall be withheld which is not against the public interests'.

prevent publication. Neither AJB nor the Admy were consulted in any way before BL's pledge was given, they accepted the situation, and AJB issued an instruction that a naval contribution was to be prepared. The delay in carrying this out has nothing in the least deliberate, still less sinister, about it. There are hundreds of telegrams to be gone through, besides those which figure in your file—the War Staff is at work on them, but it is a matter which *must* take time, & of course they haven't much to spare.

Yours always
E

K

Major-General Callwell to Sir Reginald Brade

(Copy, Churchill papers: 2/74)

4 July 1916

Sir R. Brade,

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upon the table the papers relating to the genesis and conduct of the Dardanelles and Gallipoli operations. I cannot agree that this decision is justified in the public interest. The pledge of the Government was freely given by the Colonial Secretary speaking with your full and direct authority. The circumstances of the case, the nature of the documents, and their bearing on the course of the war must have been present in your mind, although perhaps there were some which you have over-looked or forgotten. The pledge to publish was not given at my request, though as you know I have always wished that the whole truth should be made known to the nation and to the Dominions, and that nothing essential should be concealed. It was given to the House and we have been left for more than six weeks in the expectation that it would be fulfilled. I do not think that in these circumstances it ought to be departed from on any vague and general ground. Papers have been submitted to you by me and I understand by other persons affected. There may be passages in these papers which affect allied or neutral powers. Certainly they are few and far between. There is no reason why they should not be omitted, or expressed in a different way by mutual agreement. There may be technical matters which if desired could be suppressed without impairing in any way the proper presentation of the facts of the case.

It is unfair to the House—I do not speak of individuals—that objections founded on a few passages or documents which are not material, and would not be claimed as material to the case by the persons concerned, should be used as a bar to prevent any publication at all. It was foreseen by the Colonial Secretary when giving his undertaking, that some reservations of this kind might be necessary, and he guarded himself accordingly. It is of course imperative that any publication of documents or records should not be one-sided. But I am sure that if the Secretary to the Committee of Imperial Defence were authorised to discuss the passages to the publication of which objection is now taken with the principal persons concerned, there would be no difficulty in arriving at an agreement which would enable a publication to be made on which a true judgment could be formed. At any rate this method ought to be tried before the Government repudiate a definite pledge given to Parliament in a matter in which they are themselves concerned.

Winston S. Churchill to David Lloyd George

(*Draft, Churchill papers: 2/74*)

[?] 8 July 1916 41 Cromwell Road

My dear Lloyd George,

I have now considered the proposal you made to me yesterday that the Government shd appoint a secret Committee of the House of Commons to

inquire into & report upon the genesis & conduct of the Dardanelles operations; & that this shd take the place of the laying of papers on the table of the House to wh the Government is pledged. I feel bound to make some observations on this proposal.

First the Government have given a definite promise to the House that the authentic documents shd be published. The matter is one wh therefore concerns the House of Commons, & I have no right to express an opinion on their behalf.

Secondly altho the pledge was given by Mr Bonar Law; the Prime Minister had intended to give it himself personally & was only prevented from doing so by the unexpected prolongation of the debate on other matters.

Thirdly the pledge of the Government was given after prolonged consideration & with full knowledge both of the facts of the suitability of the documents for publication at this juncture. In consequence of the pledge of the Government I submitted to the Prime Minister a series of documents wh I conceive are necessary among others to the exposure of the truth, & wh except in minor & immaterial details & passages to the excision of wh no objection cd be taken, cd in any judgment be made public without detriment to the State. These papers had been circulated to the Cabinet more than a year ago. They have been examined lately by an impartial general chosen by the Government, who has reported that their publication in the main wd not be injurious to the State, but that it wd reflect upon the Government. In these circumstances I can well understand the desire of the Government to substitute for a publication of authentic documents on wh the nation can judge, a secret inquiry of indefinite duration by a body selected by themselves.

The personal aspect of this matter is not vy important, except in so far as it affects the behaviour of colleagues to one another. But the public aspect is serious. The nation & the Dominions whose blood has been poured out vainly have a right to know the truth. The Government had decided of their own accord that the truth cd be told & had given a formal promise to Parliament: & now as the time draws nearer they shrink from the task.

If a Committee is appointed I will of course attend and assist its labours in any way that is possible. But the first witness who shd be called before them is the Prime Minister, who alone cd have co-ordinated the naval and military action & given to the war-policy of the country the necessary guidance & leadership. Such a Committee however can be no substitute for the laying upon the table of the House of the papers wh the Government have promised: nor cd I allow it to prejudice in any way my freedom of action & discussion if need & opportunity arise.

Lord Fisher to Winston S. Churchill

(*Churchill papers: 2/72*)

21 August 1916 36 Berkeley Square

My dear Winston,

A line to say I'm off to the sea shore on Wednesday for about 3 weeks. *J. F. Phillips*, Victory House, Cockspur St, has my address & telephone number & can speak to me any moment & he will forward any letters—I've heard no news—as usual where were our 66 submarines & our mine layers to bar the way back home of the German Fleet? And we lost two cruisers.

Yours
F

Postscript

Please quote in extreme in the text you dictate to the young woman the whole of the letter I wrote you (which I don't remember) because if alluded to as you say in your speech then it will inevitably be called for by someone so it's better to give it as a 'voluntary' offering, *more especially if it shows up vacillation indecision—Procrastination*. Let us be Sinister—Saturnine, Sardonic!

Alexander MacCallum Scott to Winston S. Churchill

(*Churchill papers: 2/75*)

23 August 1916 House of Commons

Dear Churchill,

I am returning the draft of your evidence. It is excellent.

I have suggested a few verbal amendments in pencil in the margin. Don't think verbal amendments unimportant. Sometimes a single word or the turn of a phrase creates an impression.

I think you ought to give quite early a clear concise synopsis of the main points which you seek to make. I enclose a draft of some which occur to me, not as a model for you, but as a practical illustration of what I mean by my suggestion.

You have not yet dealt with the decision (against your wish) to abandon the naval assault.

I suggest you should not emphasise or over-elaborate your own personal view, or insist over much that you would, if it had been left to you alone, have ordered the attack to be renewed. I think you were right; but after all you were not the technical expert, & the Committee is not inquiring into

what you might have done under other circumstances but what was done under existing circumstances.

As far as the Commission is concerned the important fact is that the naval attempt was then broken off in view of definitely promised military operations.

You would have preferred pressing the naval assault to the final test but in view of the decision of the technical experts & of your colleagues you deferred.

At all events, I think this part of the story wants careful handling.

Ever yours
A. MacCallum Scott

Sir Ian Hamilton to Winston S. Churchill

(*Churchill papers: 2/74*)

23 August 1916 Deanston House
Perthshire

Dear Winston,

Looking over my Diary I have come across a message I cabled to de Robeck on 30th of March when I received your 140 of 25th March[1] which was sent me to Alexandria in the 'Doris'. Several times during our conversations I have gathered the impression that you thought that, in some way or another, to some degree or another, I had influenced de Robeck in his abandonment of purely naval attacks upon the Narrows. Roger Keyes and naval forwards generally have seemed to me sometimes inclined to hold the same view. There is no foundation whatsoever for such an impression, and this message of mine cabled to the Admiral on the 30th of March should give the idea its coup de grâce.

Yours ever
Ian Hamilton

Colonel Le Roy-Lewis[2] *to David Lloyd George*

(*Lloyd George papers*)

23 August 1916 British Embassy
Paris

. . . I have discovered, with great regret, that the indictment formulated by Churchill and F. E. Smith against General Haig's offensive has found its

[1] See pp. 728–30 and 761.

[2] Herman Le Roy, 1860–1931. Assumed the surname of Lewis, 1884. Served as a Captain in the South African War, 1900. Colonel Commanding 1st South-Western Brigade, 1908–13. Military Attaché, Paris, 1915–20.

upon the table the papers relating to the genesis and conduct of the Dardanelles and Gallipoli operations. I cannot agree that this decision is justified in the public interest. The pledge of the Government was freely given by the Colonial Secretary speaking with your full and direct authority. The circumstances of the case, the nature of the documents, and their bearing on the course of the war must have been present in your mind, although perhaps there were some which you have over-looked or forgotten. The pledge to publish was not given at my request, though as you know I have always wished that the whole truth should be made known to the nation and to the Dominions, and that nothing essential should be concealed. It was given to the House and we have been left for more than six weeks in the expectation that it would be fulfilled. I do not think that in these circumstances it ought to be departed from on any vague and general ground. Papers have been submitted to you by me and I understand by other persons affected. There may be passages in these papers which affect allied or neutral powers. Certainly they are few and far between. There is no reason why they should not be omitted, or expressed in a different way by mutual agreement. There may be technical matters which if desired could be suppressed without impairing in any way the proper presentation of the facts of the case.

It is unfair to the House—I do not speak of individuals—that objections founded on a few passages or documents which are not material, and would not be claimed as material to the case by the persons concerned, should be used as a bar to prevent any publication at all. It was foreseen by the Colonial Secretary when giving his undertaking, that some reservations of this kind might be necessary, and he guarded himself accordingly. It is of course imperative that any publication of documents or records should not be one-sided. But I am sure that if the Secretary to the Committee of Imperial Defence were authorised to discuss the passages to the publication of which objection is now taken with the principal persons concerned, there would be no difficulty in arriving at an agreement which would enable a publication to be made on which a true judgment could be formed. At any rate this method ought to be tried before the Government repudiate a definite pledge given to Parliament in a matter in which they are themselves concerned.

Winston S. Churchill to David Lloyd George

(Draft, Churchill papers: 2/74)

[?] 8 July 1916 41 Cromwell Road

My dear Lloyd George,

I have now considered the proposal you made to me yesterday that the Government shd appoint a secret Committee of the House of Commons to

inquire into & report upon the genesis & conduct of the Dardanelles operations; & that this shd take the place of the laying of papers on the table of the House to wh the Government is pledged. I feel bound to make some observations on this proposal.

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Thirdly the pledge of the Government was given after prolonged consideration & with full knowledge both of the facts of the suitability of the documents for publication at this juncture. In consequence of the pledge of the Government I submitted to the Prime Minister a series of documents wh I conceive are necessary among others to the exposure of the truth, & wh except in minor & immaterial details & passages to the excision of wh no objection cd be taken, cd in any judgment be made public without detriment to the State. These papers had been circulated to the Cabinet more than a year ago. They have been examined lately by an impartial general chosen by the Government, who has reported that their publication in the main wd not be injurious to the State, but that it wd reflect upon the Government. In these circumstances I can well understand the desire of the Government to substitute for a publication of authentic documents on wh the nation can judge, a secret inquiry of indefinite duration by a body selected by themselves.

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July 1916

Winston S. Churchill to Edward Marsh

(Marsh papers)

41 Cromwell Road

1 July 1916

My dear Eddie,

Many thanks for yr letter & its enclosures.[1] I will not vex my soul about oil at present.

With regard to my articles:[2] I am not now receiving pay from Army Funds & have no military employment—In these circumstances—is there any obligation on me to submit the proofs officially to the censor. They do not touch any military matters except what happened nearly 2 years ago & then only in a vy general way. FO I am consulting because they are a little more concerned.

Yours ever
W

Edward Marsh to Winston S. Churchill

(Churchill papers: 2/74)

10 Downing Street

4 July 1916

My dear Winston,

I've been talking to MS [Masterton Smith] about the Dlles papers,[3] & he wants me to make it quite clear that the Admly have no desire whatever to

[1] Not found.

[2] During July Churchill wrote a series of four articles for the *Sunday Pictorial*. They dealt with the coming of war, the mobilization of the Fleet, the opening months of the war, and the siege of Antwerp. The article on the siege of Antwerp became the basis for the Antwerp chapter of *The World Crisis*, published in 1923.

[3] In the House of Commons on 1 June 1916 Churchill had urged Bonar Law: 'Publish everything. . . . Publish everything that the public interest allows you to publish.' Bonar Law had replied 'that it is the intention of the Government to lay the Papers on the Table as soon as possible. It is quite obvious that, if a story is to be told, then the whole of it should be told'. The Government's intention, he said, 'is that nothing shall be withheld which is not against the public interests'.

prevent publication. Neither AJB nor the Admy were consulted in any way before BL's pledge was given, they accepted the situation, and AJB issued an instruction that a naval contribution was to be prepared. The delay in carrying this out has nothing in the least deliberate, still less sinister, about it. There are hundreds of telegrams to be gone through, besides those which figure in your file—the War Staff is at work on them, but it is a matter which *must* take time, & of course they haven't much to spare.

Yours always
E

Major-General Callwell to Sir Reginald Brade

(Copy, Churchill papers: 2/74)

4 July 1916

Sir R. Brade,

I have gone through the papers which you sent me with regard to the Dardanelles operations, in view of some of them being prepared by the C.I.D. for presenting to Parliament.[1] Mr. Churchill proposes that certain documents should be included, but I cannot see that these are selected on any definite plan. If official papers are to be published at this stage, it is necessary that some intelligible system shall be adopted with regard to arrangement, and that the interests of the various actors in the drama shall be kept in mind. Being no longer on the active list I can express myself bluntly with regard to transactions that, taken as a whole, do not redound to the credit of the Admiralty, or of the War Office, or of H.M. Government.

(1) For practical purposes, the Dardanelles affair may be considered to have consisted of three separate stages:—

(a) The preliminary examination of the subject and the course taken by the operations, up to the date when Sir I. Hamilton's army landed on the Gallipoli Peninsula.

(b) The period from the date of that landing up to, and including, the landing at Suvla Bay and the fighting immediately succeeding this.

(c) The period between the date when the Suvla Bay enterprise and the attacks which took place simultaneously at other points may be considered to have definitely failed, and the date of the evacuation of the peninsula.

[1] Major-General Callwell had been succeeded by Sir Frederick Maurice as Director of Military Operations in June 1916, and was on retired pay; he had been asked by the War Office to help go through the Dardanelles documentation and to advise on what could and could not be published.

(2) In my opinion the papers now to be presented should deal only with the first of the three stages, and the detailed notes which I attach are drawn up on the assumption that my view is accepted.

There are strong objections to the second period (b) being dealt with, objections which are apparent to anybody acquainted with the facts. Sir I. Hamilton's divisions were not kept up to establishment at any time subsequent to his operations definitely commencing; this was undoubtedly one of the causes of failure. His divisions were not kept up to establishment because we had not got the men to send out. This was because recruiting had broken down, and at a time when (unless my memory is at fault) members of H.M. Government were informing the public that all was satisfactory in respect to recruiting. Any papers published on the subject which do not let the cat out of the bag with regard to the shortage of drafts will be unjust to Sir I. Hamilton and to his army. If, on the other hand, the truth be told it will be impossible to conceal the fact that Lord Kitchener's scheme for creating a great British army for the war without resorting to Compulsory service had been proved to be impracticable as far back as May 1915, and it will be difficult to conceal the fact that he did not keep his colleagues in the Cabinet fully informed on this very important point. All this will eventually have to come out. But in view of his very recent death and also in view of the attacks which the Government—the pre-coalition Government—will lay themselves open to it will be much better to defer making anything public with regard to period (b) until the war is at an end.

The objections to publishing anything further about the period (c) are equally apparent. Sir I. Hamilton was still kept short of drafts. The controversies concerning the Suvla Bay operations will break out afresh. The extraordinary story about sending out Sir C. Monro to relieve Sir I. Hamilton, with full powers, about H.M. Government refusing to accept his decision about Lord Kitchener going out and eventually agreeing with Sir C. Monro, and about the Cabinet putting off the evacuation till mid-winter because they could not make up their minds, thereby enormously increasing the dangers of the operation, will have to be told. It will all come out in due course. But this is hardly the time for publishing the tale, and there can be no question of publishing a tale which is not a true one.

(4) I therefore assume that only the first stage will be touched upon in the papers that are to be presented. With regard to this, there are one or two general remarks I should like to make from my own knowledge of the proceedings. (I was not, however, to the same extent in the confidence of Lord Kitchener before May 1915 as I was later, and do not know so much about what went on.)

Lord Kitchener did not approve of the naval attack upon the Dardanelle Nobody at the War Office who knew what was going on did. He howeve accepted the Admiralty view, more or less under protest. On the other hand he did not expect the Turks to put up the fight they did when military operations commenced believing that they would give way when they realised tha we meant business; and that was where the War Office went wrong. I fel considerable doubt on the point, but could not of course set my opinion o a question so closely connected with the Oriental character against his. Th consequence however was that we had no settled plan of operations fo securing the Dardanelles by military effort, as is indeed shown in the order given to Sir. I. Hamilton when he left to take command; these Mr. Churchil proposes to print, and they must of course appear. . . .

Major-General Callwell to Sir Ian Hamilton

(Copy, Churchill papers: 2/74)

5 July 1916

Dear Sir Ian,

. . . It seems to me quite impossible to publish correspondence and telegrams dealing with the operations subsequent to your successful landings, because they must give away Lord K if the story is fairly told. The tragedy of the 'Hampshire' simply precludes publication at present. As the Prime Minister has promised papers and as Churchill asks for them, something must be laid on the table of the House, and the documents which Churchill proposes, if modified as I propose, will do no great harm to anybody except the Admiralty people, and they will I suppose be consulted.

. . . the two messages of yours that I suggest should be included were practically to the effect that you realised that an elaborate land attack on the peninsula would have to take place, seeing that the fleet had failed to make good. Your orders went on the assumption that the fleet would make good, that all you would have to do would be to help by landing parties in finishing off batteries until the fleet was through the Straits, and that your real task would only begin then. In the papers published it is necessary to show that the situation became completely transformed by the time that you had got out—anyway a day or two after you got out—and that requires to be made plain.

I remember being in Lord K's room with yourself and Braithwaite when he was giving you verbal instructions, and it did seem to me that the difficulties in the way of forcing the Dardanelles were not appreciated by him. He always thought till May that the Turks would practically throw up the sponge.

Winston S. Churchill to Lord Fisher

(*Fisher papers*)

30 August 1916 41 Cromwell Road
Secret

My dear Fisher,

I have been working at my statement of the Admiralty case & have vy nearly completed it. I will send it you when it is ready & we can then discuss particular points & documents. I have not seen G [Garvin]. You had better see what I shall say before doing so. I think you will be pleased with it.

I send you a copy I got from the WO of Kitchener's statement to the War Council of May 13. It will certainly be produced. He was vy angry about the 'Queen Elizabeth' being withdrawn.

The Admiralty papers wh they are putting in consist entirely of Oliver's & Jackson's plans with the reports from the Admirals. You and I do not seem to have existed! I think they are behaving well. In addition there are the telegrams.

Grey has authorised me to have my papers printed at FO & this will be a convenience. I dont expect to be called before Sept 20 or thereabouts. So there is plenty of time.

Yes indeed stagnation apathy & playing for safety are the orders of the day.

Yours vy sincerely
Winston S. Churchill

Sir Maurice Hankey to Winston S. Churchill

(*Churchill papers: 2/85*)

31 August 1916 2 Whitehall Gardens
Secret

Dear Mr Churchill,

I have the Prime Minister's permission to show you, for your personal and confidential information, a proof copy of Part II of the evidence I propose to give before the Dardanelles Commission. At the end I have alluded to one or two Secret matters of recent occurrence, relating to the defence of India, which I thought had a bearing on the Dardanelles operation. Will you be particularly careful not to make any allusion to these?

Yours sincerely
M. P. A. Hankey

September 1916

Winston S. Churchill to Lady Leslie

(*Leslie papers*)

4 September 1916 41 Cromwell Road

My dear Leonie,

I was simply delighted with Shane's book.[1] It is a literary treasure & by itself entitles him to a place in the world of letters. He has learning & wit & a sure natural style wh betokens a master. Add to these the peculiar sense of detachment wh his Catholic & Nationalist standpoint gives him, & he has been enabled to do what perhaps no other living writer cd have achieved. I am certain it will have a wide and lasting success. I am so glad for your sake as well as his. Real merit cannot be mistaken.

With best love—many congratulations

Believe me yours affectionately
W

Winston S. Churchill to F. E. Smith

(*Copy, Churchill papers: 2/74*)

8 September 1916 41 Cromwell Road
Private

My dear Fred,

I send you the first instalment of the papers I have had printed at the Foreign Office together with a first draft of my statement. In this letter I have put down what I believe I can prove by documents and witnesses. I

[1] In 1916 Shane Leslie published a short memoir, *The End of A Chapter*. In it he wrote of Churchill: 'If Winston had died on the day the fleet was mobilised, he would have fulfilled the ambition, which had been his, to enjoy a decade of power and achievement.' He described Asquith as: 'A plain, blunt man fit to rule but not particularly inspired to save an empire . . . his lack of imagination proved rather a strength than a weakness. He was not aghast or appalled at Armageddon occurring during his administration.'—Of Asquith's premiership he wrote: 'Ireland, Wales and Jewry bent their necks to uphold his administration.'

have drafted it so that Fisher will probably be able to say, 'I do not disagree with any of the statements of fact, but I must add, etc etc.' I want you to consider the case from an advocate's point of view. I am under no obligation to put in all these documents, and the question of how big a target should be exposed spontaneously is important.

I also send you Hankey's two papers which are very satisfactory from my point of view. The Admiralty papers (other than telegrams) will simply consist of staff plans and appreciations by persons of the highest authority, which are quite satisfactory to me.

The great question of tactics seems to be whether I should confine myself exclusively to the Naval part and avail myself of my formal and disrecorded disclaimers of responsibility for the Military operations. There is no doubt, I think, that the Naval part is very solid, but on the other hand the case as I present it in my draft is the true case.

Another question is whether I should not very early point out that the kind of crude misconceptions which have generally been widely current about the inception of the Naval operation, e.g. that it was an amateur scheme without proper expert backing, rushed through the War Council without consideration or even with concealment; that the Navy began unbeknown to Lord Kitchener and at dates that the Army did not expect, etc —and should I then when these allegations have been demolished ask the Commission to clear away these misconceptions decidely?

What do you think of my letter to Bonar Law?[1] It is very important for me to get Sir Arthur Wilson's letter[2] to the PM into the evidence.

If you are in London Monday or Tuesday perhaps we could have a talk about these things, and I could then show you some alternative or additional documents about which I am at present undecided.

Turtukay[3] shows very clearly how great is the danger about which I told you. It was obvious a fortnight ago that Hindenburg's move was a punch at Bucharest. It will be very disappointing if Roumania comes in only to be knocked out. That I hope may still be averted.

Yours always
W

[1] Churchill's letter to Bonar Law of 21 May 1915 (quoted on pp. 922–4).
[2] Sir Arthur Wilson's letter to Asquith of 19 May 1915 (quoted on p. 916).
[3] Turtukay was a Rumanian village on the Danube. On 6 September 1916 the garrison there was compelled to surrender to the Austro-German forces under General von Mackensen, who captured 100 guns and nearly two infantry divisions. This was a serious disaster for Rumania on only the tenth day of her campaign. The Germans eventually reached Bucharest, on 6 December 1916, and the Rumanian army retired into the eastern Province of Moldavia. The German victory was not finally secured until the Treaty of Bucharest, 7 May 1918, which greatly reduced Rumania's territory, and made the country economically subservient to Germany.

Winston S. Churchill: draft statement
(Churchill papers: 2/75)

8 September 1916

There are two distinct sets of operations. The naval attack wh culminated on the 18th of March & the attack by the Army wh began in the ever memorable landing of the 25th of April. At the outset several vital questions wh have never been answered must be put. The first of these is clearly 'In January & the early part of February, when the policy of a purely naval attack was adopted, was there or was there not a land force available?' That question stands at the threshhold of the whole subject. If there was not, the naval attack might be accepted as a hazardous attempt to do with the Fleet alone what should naturally have been a joint operation of the Fleet & army. But if there was an army available, the responsibility of those who withheld it must be vy great. This is a question an answer to wh will certainly be demanded & obtained by history. Secondly if no army was available up to the 15th of February, how was it that one became available towards the end of that month.

Thirdly why was there a long delay of six weeks after the suspension of the naval attack before the military operations began. Fourthly, if such a delay was inevitable after the enemy had been fully warned and was diverting all his energies to the defence of the Gallipoli peninsula, why was not the military operation reconsidered, and fifthly, who was responsible for estimating the number of troops required in these changed circumstances to carry it out: were more troops needed: were more troops available?

In the early days of May Sir Ian Hamilton's army on the Gallipoli peninsula was brought to a standstill and conditions of trench warfare like those in France supervened. At the same time the arrival of German submarines in the Medt greatly increased the anxieties and difficulties of the naval operations. A very serious and critical deadlock had arisen at the Dardanelles both by land and sea requiring decisions of a far-reaching character. We may easily surmise what some of these must have been. Shd the Navy resume its attempt to force the passage? Shd large reinforcements be sent to the army on shore? How shd the submarine menace be dealt with and the necessary naval support be given to the Army? There was nothing in any of these questions wh could not have been settled by united and vigorous action. In fact large reinforcements were sent to the army after some delay, & the submarine difficulty was surmounted by the use of that wonderful monitor & specially protected fleet wh the Admiralty had created in the previous autumn & wh has been only too fully described in the newspapers. But for the moment unity both in the Admiralty and in the Cabinet was

Lord Cromer to Winston S. Churchill
(Churchill papers: 2/74)

20 September 1916 36 Wimpole Street

Dear Mr Churchill,

You will remember that on the 12th August you wrote me a letter in which you asked me two questions in connection with the proceedings of the Dardanelles Commission. I replied on the 15th, stating that I would submit your letter to the Commissioners on the occasion of their first meeting.

The Commission met yesterday. As regards procedure, you say, 'I presume that I shall be at liberty to be present during the course of the enquiry'. The Commissioners have decided, in respect of all such meetings as are held in secret, not to admit anyone. They are, therefore, unable to comply with your request. But I may add that the evidence of all the witnesses will be printed, and that, should it appear desirable, for whatsoever reason, that any witness who has been already examined should be placed in possession of the evidence of other witnesses, a copy will be confidentially sent to him. Thus, on the one hand, the Commissioners will have an opportunity of recalling a witness should they think it desirable to do so, and, on the other hand, a witness who has been already examined will have an opportunity of requesting that he may be recalled in order to furnish any further explanation which he may wish to make, resulting from the evidence of subsequent witnesses.

At the time of your writing to me on August 12, you expressed a desire to be examined only on 'the genesis of the naval and military operations and their conduct down to the conclusion of Sir Ian Hamilton's first attempt to carry the Peninsula in the early days of May'.

The Commissioners would like to hear your evidence on this point in the first instance without proceeding to deal with those subjects which you mention under a second and third head.

Would you kindly inform me whether you are prepared to give your evidence any day after Wednesday next week?

I may add that it would be a convenience to the Commissioners, if you are able to do so, if you could send to the Secretary—E. Grimwood Mears[1] Esq, 2 Hare Court, Temple, EC, before the end of this week, a short statement embodying the main points of your proposed evidence.

Very sincerely yours
Cromer

[1] Edward Grimwood Mears, 1869–1963. Gave up his practice at the Bar on Government request to investigate allegations of German atrocities in Belgium, 1914–15. Secretary to the Royal Commission appointed to enquire into the causes of the Easter Rising in Ireland, 1916. Secretary to the Dardanelles Commission, 1916–17; he agreed to become Secretary on condition that he was given a knighthood for his services. Knighted, 1917. Assistant to Lord Reading, Washington, 1918–19. Chief Justice, Allahabad High Court, India, 1919–32.

Lord Cromer to Winston S. Churchill
(Churchill papers: 2/74)

21 September 1916 36 Wimpole Street

Dear Mr Churchill,

We have only as yet examined two witnesses—Sir Charles Monro and Sir Maurice Hankey. We examined the first out of his order so to speak, as he was about to leave for India.[1] He dealt merely with the question of the final evacuation. Sir Maurice Hankey's evidence is now being printed. I do not think it contains much that would be of use to you, but I am writing to the Secretary to request him to send you a copy when it comes from the printer.

As regards the Admiralty papers, a very large number of telegrams were put at our disposal. I have not myself seen them but I believe they contain nothing but telegrams. A great many of these deal with points of detail which, for our purposes, are unimportant. But Sir William Pickford,[2] who, as you are aware, is a member of the Commission, went through the file and has selected all those which are of real importance. They are now being printed, and I hope will be in the hands of the Commissioners in the course of this week.

I hope you will be able to let the Secretary have the copies of your documents as soon as possible, as it is very desirable that the members of the Commission should have an opportunity of studying them before your examination. For the same reason I should have preferred to have had your statement sent to us before it was made orally to the Commission, but I will not press the adoption of this course if you entertain any objections to it.

I merely propose it in order to get on with the proceedings, although I suppose, in any case, your evidence will probably take more than one day.

I am writing to the Secretary about fixing a day for next week, and he will communicate with you.

Very sincerely yours
Cromer

[1] Monro had just been appointed Commander-in-Chief of the army in India; his appointment was formally gazetted on 1 October 1916.

[2] William Pickford, 1848–1923. Judge of the High Court of Justice, 1907–14. Knighted, 1914. Lord Justice of Appeal, 1914–18. Member of the Dardanelles Commission, 1916–17; Chairman, 1917. Created Baron Sterndale, 1918. President of the Probate Division, Admiralty Court, 1918–19.

J. L. Garvin to Winston S. Churchill

(Churchill papers: 2/74)

21 September 1916 9 Greville Place

My dear Winston,

Many thanks indeed for the enclosed. The Admiral seems strongly inclined now to discard his 'preamble' and to adopt the alternative statement of his case—with letter January 3rd 1915 and Baltic project for its corner-stones. A vast improvement. I have put to him the point about his offer to go out in Command. He and I are to meet again at Edward Goulding's (Wargrave) for a few hours, and I hope to get him again on Tuesday or Wednesday and to bring him to close quarters with your case. Really he is very amenable and magnanimous. He is convinced that if you were both together again, you could do the Baltic yet and above all *execute now* the letter of January 3[1] —with modifications of course—so as to solve the Balkan-Constantinople business, where the military hitch promises to become again serious & prolonged!!! I must see you after I have seen him, next Monday.

Yours ever
JLG

Winston S. Churchill: memorandum for the Dardanelles Commission

(Copy, Churchill papers: 2/75)

25 September 1916
Secret

I.—Introduction

During the First Phase of this story I was First Lord of the Admiralty, and a member of the War Council and of the Cabinet. I share the general responsibilities of the Cabinet and the War Council. I also have a special responsibility for the great combatant department of which I was the Head. I am prepared to be examined specially with regard to the whole business of the Admiralty; and generally both in the military and diplomatic aspects.

Let me say at the outset that, subject to the decisions of the War Council and the Cabinet, I take full responsibility for all the proceedings of the Admiralty in these affairs during my tenure. I have no complaint to make in regard to any officer serving under the Board of Admiralty, whether afloat or ashore. On the contrary, I am here to defend those by whose professional advice I was guided and those who carried out the operations.

[1] Fisher's letter to Churchill of 3 January 1915 (quoted on pp. 367–8).

This includes all, without exception. Therefore, in what I am about to say I do not seek to transfer responsibility to any officer serving under the Admiralty. If I cite the opinions and advice of Admirals and others of high expert authority, it is not to relieve myself of responsibility, but to show that that responsibility was properly and carefully discharged.

In my statement about the Dardanelles I wish to make the following points:—

1. That the policy of a joint naval and military attack upon the Dardanelles was under discussion during the later months of 1914, and was abandoned because the men for the military attack were not available.

2. That at a later period, for a complex of reasons arising out of the course which the war had taken—the chief of which was the danger to which Russia was becoming increasingly exposed in the Caucasus, the peril of Serbia, and the general situation in the Balkans—a serious attack of some kind upon Turkey, in order to create a powerful diversion, became necessary.

3. The plans for the naval attack upon the Dardanelles were based upon the proposals of the Vice-Admiral Commanding in Chief on the spot. They were prepared in the regular way by the Admiralty War Staff, assisted by Sir Henry Jackson. Directions to prepare such plans were given by me and the First Sea Lord, after consultation and in agreement.

4. The policy of a naval attack upon the Dardanelles in general accordance with these plans was unanimously approved, provisionally on the 13th and finally on the 28th January, at fully attended meetings of the War Council. It was approved on the 9th February by the French Government and Ministry of Marine after detailed examination of the Admiralty War Staff plan.

5. The First Sea Lord and Sir Arthur Wilson were present at these meetings of the War Council. They assented to its conclusions. Lord Fisher was not personally in favour of the operation, but he agreed to it in view the general consensus of opinion, the needs of the situation, and the limited risk.

6. The memorandum which Lord Fisher sent to me and the Prime Minister between the two meetings of the War Council was not directed to the technical practicability of the particular Dardanelles operation, but with the margin of safety in Home Waters and the principles of naval policy. It was on this basis that it was fully considered by the Prime Minister and myself.

7. All the orders and operative telegrams throughout the operation bore the authority of the First Sea Lord.

8. The naval attack did not in itself involve us in any entanglement. The

October 1916

Winston S. Churchill to Sir Arthur Conan Doyle[1]

(Conan Doyle Papers)

1 October 1916

My dear Conan Doyle,

I am vy much obliged to you for yr kindness in writing to me about the caterpillars.

There are plenty of good ideas if only they can be backed with power and brought into reality. But think what a time it took—from February 1915 when I gave the original orders—to Sept 1916 when the first use was made of these machines! And even then I think it wd have been better to wait & act on a much larger scale—having waited so long.

The caterpillars are the land sisters of the monitors. Both are intended to restore to the stronger power an effective means of the offensive. The monitor was the beginning of the torpedo-proof fleet, the caterpillar of the bullet proof army. But *surprise* was the true setting for both.

Yours sincerely
Winston S. Churchill

Sir Arthur Conan Doyle to Winston S. Churchill

(Churchill papers: 2/71)

4 October 1916

Windlesham
Crowborough

My dear Churchill,

Your happy phrase 'a bullet-proof army' together with your lament over delay, must be my excuse for writing again. It is 18 months since I pleaded the cause of shields both in letters to the authorities and in the Times. *Now*

[1] Arthur Conan Doyle, 1859–1930. Historian and novelist. Inventor of Sherlock Holmes. During the First World War he was gathering material for his six-volume history *The British Campaign in France and Flanders*, published at intervals between 1915 and 1920.

they are ordered, but only light ones. However even with light ones, or with chest protectors as strong as our helmets, we can say with certainty that shrapnel, splinters & spent bullets & glancing bullets, covering among them a large proportion of our casualties, would have been kept out. The pity of it!

But I think it could be (and will be, if the war lasts a decade) extended much further. If the weight is properly balanced & adjusted a man can *easily* carry plates to make him absolutely immune. He must have no other equipment save his bag of bombs. A hundred such men in the van of any advance will put out the machine guns with little or no loss. When I think that seven fine divisions on the left of the line were held up upon July 1st because they could not cross 300 yards of open in face of machine guns, and that we lost 25,000 men in the section in a few hours, tho' we had months in which to prepare some sort of protection for the men, it really does seem as if we would never learn the right way to do it. However thank God for the Tanks.

Yours sincerely
Arthur Conan Doyle

Winston S. Churchill to Lord Cromer

(Copy, Churchill papers: 2/74)

5 October 1916

41 Cromwell Road

My dear Lord Cromer,

Thinking over my evidence I am not sure whether I made it sufficiently plain that I was personally in favour of the military attack being made after the naval operation was abandoned. It did not rest with me to convene a War Council: nor was I responsible for the conduct of military operations. But I was of course vy glad that Lord Kitchener had decided to use the Army; & had the matter been discussed at a War Council, I shd no doubt have supported him on the general policy.

Further I find I am not accurate in stating that there was no discussion of the military attack in the Cabinet. I am reminded that Mr Lloyd George did raise the question at one of our April meetings and that Lord Kitchener reassured us as to the prospects of success & Sir Ian Hamilton opinion. The important telegrams were of course read to the Cabinet at intervals.

My evidence shd therefore be amended in this respect.

I shd be glad if you wd make this clear to the Commission.

Yours vy sincerely
Winston S. Churchill

H. A. Gwynne to Lieutenant-General Rawlinson

(Rawlinson papers)

11 October 1916 — The Morning Post, 346 Strand

French, Winston, Smith and Lloyd George are all working hand in hand though with different objects. Lloyd George is, I think, merely trying to get the Army in the hollow of his hand and be able to order it about as he did the Ministry of Munitions. The others want to get rid of D.H. [Douglas Haig], but do not have any anxiety about the outcome. I have got satisfactory assurances that the plot will fail entirely, and that it may recoil on the heads of those who planned it . . . I have taken care that the right people shall be prepared for all the ramifications of this dirty little trick.[1]

Winston S. Churchill to Lord Cromer

(Copy, Churchill papers: 2/74)

17 October 1916

Dear Lord Cromer,

I have been reading attentively the Minutes of the evidence given before you with which the Secretary has kindly furnished me; and as a result I desire an opportunity of making a short submission on the methods of procedure adopted.

First of all I wish to draw your attention to an article which appeared in last Friday's issue of the Daily Mail.[2] Whether this article is a proper one to have appeared while matters of this character are *sub judice* is a question which I do not now refer to; but it shows very clearly the kind of attack to which I am exposed and from which I have every right to defend myself before the Commission. I am doing so however under considerable disabilities. I am not able to examine myself the principle witnesses upon whom I rely to establish the Admiralty case. Many of the questions which are essential to elicit the facts have not yet been put to them. On the other hand

[1] Gwynne had written in similar vein to Asquith.

[2] On 13 October 1916 the leading article in the *Daily Mail* was devoted to an attack on Churchill's alleged intrigues against Haig and Robertson. One paragraph declared: 'The country has seen a Cabinet Minister who had just intelligence enough to know that Antwerp and Constantinople were places of importance and yet was mad enough to embark on adventures in both places with forces and methods that were insanely disproportionate to the enterprises upon which our unfortunate sailors and soldiers were launched in each case. In the Dardanelles affair in particular a megalomaniac politician risked the fate of our Army in France and sacrificed thousands of lives to no purpose.'

adverse witnesses have had a number of leading questions put to them the result of which has been to obtain from them evidence which is open to direct challenge without my having any opportunity of cross-examination. Other questions have been put to witnesses which they have no competence to answer, and their answers are recorded as authoritative pronouncements.

I need not point out to the Commission (for it is recognised I believe in nearly every civilised system of procedure) the misleading effects which are certain to follow from very suggestive legal questions when wholly uncorrected by cross-examination. The result of this is that the Commission has not yet been placed in a position to do justice to the Admiralty case especially in its professional and technical aspect.

I welcome the inclination of the Commission to enter upon a detailed examination and I have profound confidence in their desire to be absolutely fair to all parties concerned; but it is indispensable to the examination of these details that if they are entered upon at all they should be pursued to definite and unmistakable conclusions. I desire to have an opportunity to put these and similar points of procedure before you at an early date.

Yours sincerely

Winston S. Churchill to Edward Grimwood Mears

(Copy, Churchill papers: 2/74)

19 October 1916 — 41 Cromwell Road

Dear Mr Mears,

I have to acknowledge with thanks both your letters of yesterday and today. On Tuesday I shall be ready to come before the Commission and I would ask that Admiral Oliver, the Chief of the Admiralty War Staff, should be recalled in order that he may be further examined, if agreeable to the Commission, by me on the gunnery and other technical aspects of the War Staff plans and on the experience of this war in regard to the attack of forts and land batteries by ships.

I also ask that Sir Arthur Wilson may be recalled to give evidence on the same subject and one or two incidental matters. I wish also to examine General Hickman[1] on the very important opinion he has expressed as to the impossibility of sweeping the Kephez minefield. The evidence of Sir Graham Greene, the Secretary to the Admiralty, is not yet complete and I desire

[1] Thomas Edgecumbe Hickman, 1859–1930. Entered Army, 1881. Served at Omdurman, 1898. Conservative MP, 1910–18; 1918–22. Retired from the Army with the rank of Brigadier-General, 1914.

Winston S. Churchill to Major Spiers

(Spears papers)

27 October 1916 41 Cromwell Road

My dear Louis,

I read your name this morning in the casualty list for the 4th time with keen emotion. I at once telephoned to the War Office and rejoiced to learn that yr wound is slight & that according to them you are still at duty. I cannot tell you how much I admire and reverence the brilliant & noble service you are doing & have done for the country. You are indeed a Paladin worthy to rank with the truest knights of the great days of romance. Thank God you are alive. Some good angel has guarded you amid such innumerable perils, & brought you safely thus far along this terrible & never ending road.

I am now going to bestir myself in yr interest—if my credit is of any value with the ruling powers.

Thank you so much for the helmet you sent me. It is a fine trophy. But my dear why don't you write. I shd so value yr letters and it wd be such a pleasure to me to receive them. I asked W.O. today to send you a wire from me in this sense. I hope you will receive it safely.

I am slowly triumphing in this Dardanelles Commission, and bit by bit am carrying the whole case. I am really hopeful that they will free me from the burden wh cripples my action. Try to read my articles in the London Magazine.[1] They seek true paths of war thought.

The views I have told you of are only too true.

When will you come home for a little. Do let me know.

Yours always
W

Winston S. Churchill to H. H. Asquith

(Copy, Churchill papers: 2/74)

28 October 1916 41 Cromwell Road

I send you some Dardanelles papers with marked passages. You had better read first the three sections of typewritten notes which I used in my summing up. I think they very fairly represent positions which the Commission have reached, though of course they only touch some of the aspects.

[1] In October 1916 the *London Magazine* published the first of five articles by Churchill entitled 'The War On Land and Sea'. The remaining four were published in November 1916, December 1916, January 1917 and February 1917. According to the *Glasgow Herald* (10 August 1916), Churchill received 'the very comfortable sum of £5,000' for the articles.

Nos. 4 and 5, the evidence of the 14th and 15th days, is worth skimming through as for the first time justice is done to the strength of the naval case. Bacon really swept the board and quite demolished the antiquated gunnery arguments of Generals Hickman and Aston. Oliver and Bartolome both expressed their firm belief in the soundness of the scheme and Oliver as Chief of the Staff takes full responsibility for the plan.

Arthur Wilson's paper (6) is a very handsome production. The effect of Bacon's and Wilson's argument is to show that the attack of forts by ships is quite a practicable operation; that the improvements in naval gunnery have affected the attack of fortresses both from the sea and the land in a similar degree; that consequently what is called the Antwerp analogy is not fundamentally misleading and they even go further and show that for the attack of castles and old forts like those at the Dardanelles, the high velocity gun of the Fleet would be positively better.

I do not see how Bacon's authority can be challenged in view of his experience; his demonstration also was mastered. Bacon's statement as to the ease with which the forts could be demolished from the Marmora side is also important in connection with my No. 3.

Hall's evidence on page 282 is a plum. Indeed the Commission seemed so much impressed with it that I was forced to defend myself for not overruling all the naval people both here and on the spot and ordering the renewal of the fight after the 18th. I do think this point, that it will probably be proved historically that the forts were out of ammunition and that we had only to go on to win everything, is worth while dwelling on.

I also enclose Jackson's evidence (7). We have got him tighter than anybody else on paper. See the documents attached to my original statement especially his spontaneous written concurrence in the Carden plan of January 15th. I gather the Commission were very unfavourably impressed by his efforts to wriggle out. He certainly shows up poorly compared to Bacon. His evidence is not worth spending much time on in view of his paper commitment.

Fisher's evidence is great fun and the old boy did his utmost to atone.

Grey (9) is correct but pretty thin. After all, it was a great Foreign Office need that the Admiralty were endeavouring to meet. The War Council decision of the 13th about Cattaro should be noted. The Dardanelles operation was a substitute for Adriatic action to affect Italy in addition to its other aspects. As you yourself conducted the negotiations for all the Powers which ended in the bringing in of Italy in the nick of time, you should be able to speak decisively on the value of Mediterranean action from an Italian point of view.

Finally I enclose another copy of my own original statement and the

documents appended thereto. Note particularly appendix 'C'. It is no use Fisher arguing that he did not know that anything had been decided on the 13th. On the other hand, I never took the 13th as an irrevocable decision.

'12' is worth while looking at.

Edwin Montagu to Winston S. Churchill

(Copy, Montagu papers)

31 October 1916 Ministry of Munitions

. . . You asked me to write to you as to exactly what I wanted from you when I proposed that you should speak here in this Ministry.

It arose out of our conversation at Lady Cunard's[1] when you talked to me on the text of ribs not stopping bullets, which you graphically described as the problem of this War.

You will, I think, no doubt recall your theme and it would be but to weaken my argument if I were to attempt to paraphrase, and therefore to caricature your language. But I was convinced that you were right. Has not the tendency of the soldier become to demand guns and more guns, shell and more shell, men and more men? Are they sufficiently receptive of new ideas? Ought not the winter to be occupied with all the energy that we can command in devising new weapons, and more particularly new defences against old weapons? Every casualty saved is an addition to our fighting strength. Is it the best that modern warfare can do to put Infantry unprotected to charge enemy trenches and devise means for destroying enemy Infantry? Cannot the idea of the Tank be so extended as to use a Tank-like machine to protect our Infantry. Ought we to continue to use nothing until we are certain that it is superlative? Ought we not to make things quickly and use them for what they are worth. We have no instruments for saving life except the Tank, the helmet and the Bomber's coat. Is this all that we can do?

We have here in the Ministry an Inventions Department. When they find an article which is good, the next thing is to get a demand for it from the soldiers at the Front as represented by the soldiers in the Design Department.

Cannot these people be inspired to look for something new rather than only to perfect the old?

These, and the problems of the next years warfare generally so far as the Ministry of Munitions are concerned are the problems about which I think

[1] Maud Burke, 1872–1948. Born in San Francisco. Known as 'Emerald'. Married, 1895, Sir Bache Cunard, 3rd Baronet. Their London home was at 20 Cavendish Square.

that you and you alone are equipped to direct the train of men's thoughts and to inspire activity of brain.

I would propose to invite to the meeting the whole Inventions Department of the Ministry of Munitions and the whole of the Design Department, with a few representatives of Supply, such as the Trench Warfare and the Shell Departments. I would propose to invite from the War Office the Chief of the Imperial General Staff, the Master General of Ordnance and his Department, and I should like to try and persuade Lloyd George himself to come.

I think your speech should take place at, say 3.30 in the afternoon on any day you like to fix, and should be followed by a discussion and, I should venture to hope, by something even more practical which I cannot even sketch until we see the results of the meeting.

Can you now fix a day, as the winter and therefore the available time is getting on?

Yours ever
ESM

Winston S. Churchill to Edward Grimwood Mears

(Copy, Churchill papers: 2/74)

29 November 1916 41 Cromwell Road

Dear Mr Grimwood Mears,

I have read Sir George Arthur's statement enclosed in his letter of the 25th of November with a copy of which you have kindly furnished me.

What Lord Kitchener told Sir George Arthur and when he told it to him are matters about which I of course know nothing. But it is not true that Lord Kitchener was ever 'invited to a Conference by the First Lord of the Admiralty when the passage of the Dardanelles was the subject of discussion' or that 'he protested vigorously against such an undertaking by the Navy without very strong and very careful support from & co-operation with the Army.' The only 'Conferences' held on this subject were the various meetings of the War Council the records of which are before the Commission. On no occasion either in Council or in conversation did Lord Kitchener express views of the kind attributed to him by Sir George Arthur. If he held such opinions it was his duty to have expressed them at the War Councils in place of the diametrically opposite views which he expressed both by speech and in writing. The documentary evidence I have laid before the Commission and the records of the War Council are conclusive on this point. Further, Lord Kitchener was in almost daily consultation with the Prime Minister and the Prime Minister has deposed that 'Lord Kitchener was strongly in favour of the Naval undertaking.'

Finally there is Lord Fisher's evidence of Lord Kitchener's personal appeal to him at the War Council of the 28th of January to remain and conduct the operation.

If it were necessary I have no doubt that negative evidence from all the naval and political personages concerned could be adduced to prove first that no such Conference took place and secondly that no such protest was made by Lord Kitchener as is described by Sir George Arthur. I hardly imagine however that in view of the evidence before them the Commissioners will wish to embark on this process. If they decide to do so I would ask their leave to marshal the evidence; and if expressions of Lord Kitchener's opinion made to a responsible person at unnamed dates are to be admitted in evidence I conceive myself in a position to produce evidence that Lord Kitchener expressed private opinions in an entirely contrary sense during the period when the Naval attack showed good prospects of succeeding.

The Commission will no doubt inform me through you whether they attach sufficient weight to Sir George Arthur's statement to make it desirable for me to do this.

As already explained to the Commission Lord Kitchener was very indignant at the Admiralty decision of the 11th or 12th of May to withdraw the 'Queen Elizabeth' from the Dardanelles and his statement read out to the War Council of the 14th of May expresses his feelings at that time. It is quite possible that either then or subsequently he may have used language to Sir George Arthur which led the latter to form the impression he has embodied in his statement; and it is natural that Sir George Arthur should dwell upon it increasingly as time and events have passed by. The Commission appear to me to be already in possession of all the facts and evidence necessary to the formation of their judgment on this point.

All the facts stated by Sir George Arthur are untrue and without foundation, but I desire to repeat what I have said on several occasions to the Commission—that I take full responsibility for the advice given by me in the name of the Admiralty to the War Council in regard to the Naval operation. I have never tried to throw any of this burden upon Lord Kitchener. As a principal person next to the Prime Minister concerned with the direction of the war, and as a great soldier acquainted with gunnery and quasi-military problems such as the attack of Forts, etc he no doubt has his responsibility, but I wish to bear my responsibility as the head of the Admiralty so far as I may properly do so myself. In the same way I conceive that the prime responsibility for the inception and conduct of the military operation rests subject to the War Council with the Secretary of State for War. As the Commission know, this last point is one to which I attach importance.

There is one aspect of the statement of Sir George Arthur however which appears to me worthy of the attention of the Commissioners. I have for the last eighteen months been the subject of persistent and damaging attacks in the public press and elsewhere in connection with the Dardanelles operation. It is hardly conceivable that such attacks would have been maintained with so much confidence, if they had not been founded and nourished on statements purporting to emanate from the highest authority of the character of those now brought before the Commission by Sir George Arthur. I cannot believe that Lord Kitchener himself had anything to do with the circulation of such untruthful and unfounded allegations, but that they have been made from time to time by persons in his entourage has long been suspected by me and this suspicion cannot but be confirmed by Sir George Arthur's statement.

Before the Commission began its labours I was frequently asked whether I was in a position to disprove the charge that Lord Kitchener was throughout opposed to the whole Dardanelles policy. There is no doubt that this impression was sedulously fostered and is even now widespread. The fact that at the close of the first phase of the Dardanelles operations which the Commission have now under review, I was removed from my Office as First

Lord of the Admiralty while Lord Kitchener was simultaneously invested with the Order of the Garter and continued to be Secretary of State for War until his lamented death has no doubt been accepted as an unanswerable confirmation of such statements.

I am quite content to leave the point to their judgment without troubling them with further evidence unless they desire it.

December 1916

Sir Abe Bailey[1] *to David Lloyd George*

(Lloyd George Papers)

2 December 1916 Marlborough Club

Dear Mr Lloyd George,

Am just off after being held up for four days & I only hope to God everything goes right & you are elected Prime Minister. Then there is a chance. I shall be awfully sorry if Winston's brain & push have to be left on the shelf for I know & so do you that he is full of ideas, & good ones too. I have no friendships except for the Empire & it is having those feelings that I shall for one deplore the loss of his valuable services. He will I know assist *you* in any case.[2]

Goodbye, good luck & God bless your work.

Yours most sincerely
Abe Bailey

[1] Abe Bailey, 1863–1940. One of the principal mine owners of the Transvaal. Knighted 1911, for his services in promoting South African Union. Served as a Major on the staff of the South African forces which attacked German South-West Africa, 1915. Created Baronet, 1919. His son John Milner Bailey married Churchill's eldest daughter, Diana, in 1932 (divorced 1935).

[2] Lloyd George became Prime Minister on 6 December 1916. Churchill received no place in the new Government until July 1917, when he became Minister of Munitions, a Cabinet post not in the War Cabinet.

Class 2	Folio	
75	1-158 (wallet)	MSS by WSC of his evidence followed by successive amended drafts - typed sheets Bound in plain brown cover.
	159	PRINT Document Property of HBMG (39 pages) SECRET DARDANELLES ENQUIRY Statement by Mr Churchill upon the Dardanelles Operations to the end of the First Phase. Initialled WSC September 25, 1916. See 'A' below. I can see no trace in this wallet of the separate extracts referred to in pages 1568-70 at 'B' below - unless they are in the bound cover noted above.
76	wallet	Bound in plain cover. Two typed copies of Statement marked Secret (a top copy and a carbon copy) of Statement in 2/75
77	wallet	Bound in plain cover. Another carbon copy of above with minor MSS amendments.
78	wallet	Bound in plain cover another carbon copy of typed Statement.
79	1	PRINT Document Property of HBMG (31 pages) SECRET Statement as above by WSC on September 25, 1916.
	2	Copy of this print with galley proof type amendments/corrections.
	3	Third copy of Statement at ff 1 with passages amended in MSS. Comment and Deletions throughout.
80	Not folio'd	PRINT Copy of ff 1 at 2/79 this time with another PRINT Document Property of HBMG Copy No 189 SECRET Comprising documents appended to Mr Churchill's Statement on the First Phase (some of which are to be found separately in 2/74) Appendix A1 to Appendix 'P'. Some underlining of phrases.
81	1-9	Bound in beige cover. SECRET Dardanelles Inquiry. The principle Documents handed in by Mr Churchill to which references will be made by him during his Statement on the First Phase. (Note "These documents did not include any telegrams because these cannot be circulated except in paraphrase, which is misleading;

Class 2	Folio	
81 (contd)	1-9	neither do they include any papers handed in separately by the Admiralty") Included in covering correspondence is letter to Mr Mears See 'B' below. (some of these are also in 2/74).
82	1	Copy of Secret PRINT at ff 1 in 2/81. This copy heavily annotated and individual contents marked and from which extracts have been sent. A few inserted MSS Admiralty Minutes which may be originals or copies but include one from J Masterston-Smith to ISL.
	Not folio'd	Document Property of HBMG SECRET Memorandum by the First Sea Lord on the position of the British Fleet and its policy of steady pressure. Initialled WSC 27 January 1915. Further copies of Secret papers including a Document Property of HBMG: Printed for the Cabinet June 1915. "A further note upon the General Military Situation" Initialled WSC 18 June 1915. Document Property of HBMG Printed for use of Cabinet June 1915. CONFIDENTIAL "A note on the General Situation". Initialled WSC 1 June 1915. Title on cover has been amended to read "Documents Appended to Mr Churchill's Statement on the First Phase". Formal PRINT of this draft with last Heading Document Property of HBMG Secret: Marked in ink MSS Andrew Fisher (top left hand corner)
2/83	1	Printed report marked CONFIDENTIAL (93 pages) THE DARDANELLES COMMISSION Thursday 28th September 1916. Fifth Day. Rt Hon Winston Spencer Churchill MP Sworn and examined:- Ends "I propose to lay before you a few additional papers which I have had printed in the meanwhile.
	2	Recalled and further examined (3 pages).

J. L. Garvin to Winston S. Churchill

(Churchill papers: 2/74)

21 September 1916 9 Greville Place

My dear Winston,

Many thanks indeed for the enclosed. The Admiral seems strongly inclined now to discard his 'preamble' and to adopt the alternative statement of his case—with letter January 3rd 1915 and Baltic project for its corner-stones. A vast improvement. I have put to him the point about his offer to go out in Command. He and I are to meet again at Edward Goulding's (Wargrave) for a few hours, and I hope to get him again on Tuesday or Wednesday and to bring him to close quarters with your case. Really he is very amenable and magnanimous. He is convinced that if you were both together again, you could do the Baltic yet and above all *execute now* the letter of January 3[1] —with modifications of course—so as to solve the Balkan-Constantinople business, where the military hitch promises to become again serious & prolonged!!! I must see you after I have seen him, next Monday.

Yours ever
JLG

Winston S. Churchill: memorandum for the Dardanelles Commission

(Copy, Churchill papers: 2/75)

25 September 1916
Secret

I.—Introduction

During the First Phase of this story I was First Lord of the Admiralty, and a member of the War Council and of the Cabinet. I share the general responsibilities of the Cabinet and the War Council. I also have a special responsibility for the great combatant department of which I was the Head. I am prepared to be examined specially with regard to the whole business of the Admiralty; and generally both in the military and diplomatic aspects.

Let me say at the outset that, subject to the decisions of the War Council and the Cabinet, I take full responsibility for all the proceedings of the Admiralty in these affairs during my tenure. I have no complaint to make in regard to any officer serving under the Board of Admiralty, whether afloat or ashore. On the contrary, I am here to defend those by whose professional advice I was guided and those who carried out the operations.

[1] Fisher's letter to Churchill of 3 January 1915 (quoted on pp. 367–8).

This includes all, without exception. Therefore, in what I am about to say I do not seek to transfer responsibility to any officer serving under the Admiralty. If I cite the opinions and advice of Admirals and others of high expert authority, it is not to relieve myself of responsibility, but to show that that responsibility was properly and carefully discharged.

In my statement about the Dardanelles I wish to make the following points:—

1. That the policy of a joint naval and military attack upon the Dardanelles was under discussion during the later months of 1914, and was abandoned because the men for the military attack were not available.

2. That at a later period, for a complex of reasons arising out of the course which the war had taken—the chief of which was the danger to which Russia was becoming increasingly exposed in the Caucasus, the peril of Serbia, and the general situation in the Balkans—a serious attack of some kind upon Turkey, in order to create a powerful diversion, became necessary.

3. The plans for the naval attack upon the Dardanelles were based upon the proposals of the Vice-Admiral Commanding in Chief on the spot. They were prepared in the regular way by the Admiralty War Staff, assisted by Sir Henry Jackson. Directions to prepare such plans were given by me and the First Sea Lord, after consultation and in agreement.

4. The policy of a naval attack upon the Dardanelles in general accordance with these plans was unanimously approved, provisionally on the 13th and finally on the 28th January, at fully attended meetings of the War Council. It was approved on the 9th February by the French Government and Ministry of Marine after detailed examination of the Admiralty War Staff plan.

5. The First Sea Lord and Sir Arthur Wilson were present at these meetings of the War Council. They assented to its conclusions. Lord Fisher was not personally in favour of the operation, but he agreed to it in view the general consensus of opinion, the needs of the situation, and the limited risk.

6. The memorandum which Lord Fisher sent to me and the Prime Minister between the two meetings of the War Council was not directed to the technical practicability of the particular Dardanelles operation, but with the margin of safety in Home Waters and the principles of naval policy. It was on this basis that it was fully considered by the Prime Minister and myself.

7. All the orders and operative telegrams throughout the operation bore the authority of the First Sea Lord.

8. The naval attack did not in itself involve us in any entanglement. The

losses incurred in it were relatively very small. At any period we could have called off our ships and cut our loss with little damage except to our prestige.

9. The prepared plan of the naval attack was never pressed to the final test. It was broken off short because it was by that time considered possible to find an army for military operations in Gallipoli. Thenceforward naval operations in this theatre became ancillary to military operations.

II.—Methods of War Direction

I will first of all explain to you the system of Admiralty Administration in time of war.

In the old wars, the experience and needs of the time created a division of the Admiralty into two distinct parts: the Navy Office, which dealt with ships, stores, dockyard business and accounts; and the Admiralty, which used them against the enemy. After the wars had ceased, this organisation, which had grown up under their exigencies, was preserved. Then, after some years of peace, reformers examined the system and disapproved of it, on the grounds, *inter alia*, that it divided the maintenance of the fleet from its war direction. So they made a reform and combined the whole organisation again in the year 1832. This was followed by Mr. Childers'[1] changes in 1869, by which the duties of the members of the Board were definitely assigned, and their relative responsibility fixed. Thus in my day in peace we had the Board consisting of the—

First Sea Lord: Disposition and movement of fleet and preparation for war: to advise;
Second Sea Lord: Men;
Third Sea Lord: Ships;
Fourth Sea Lord: Stores;

to which I added Additional Civil Lord: Business.

There were in addition the Financial Secretary, who was, as his name implies, Accounting; the Civil Lord, Works; and the Permanent Secretary, who dealt with office organisation and discipline, general procedure of affairs and actions of the Board.

Over all was the First Lord, 'solely responsible to Crown and Parliament for all the business of the Admiralty'.

It should be added, however, that by the Letters Patent under the Great Seal all members of the Board had still collective responsibility for the

[1] Hugh Culling Eardley Childers, 1827–1896. Liberal MP, 1860–85. First Lord of the Admiralty, 1868–71, when he inaugurated a policy of retrenchment. Secretary of State for War, 1880–2. Chancellor of the Exchequer, 1882–5. Home Secretary, 1886.

general policy of the Admiralty, and apart from their individ
bility under the Orders in Council.

But when the war came, the special functions of the Fi
naturally covered the whole conduct of the operations. He l
Staff under him, and over him the First Lord representing
executive power of the State. (See War Staff Memorandum, 1

The other members of the Board fell, naturally and automatic
extent into the position of the old Navy Office. They supplied
and stores. They were not formally consulted in the main op
movements. It was, however, arranged by me at the outset of
all the Sea Lords could keep themselves acquainted, by dail
telegrams, &c., sent and received with the general course of th
tions. They therefore formed a reserve of naval opinion to wh
Lord or the First Sea Lord could at any time recur. But they
part in the daily executive decisions. Their position was, in fa
to that of the lesser members of the Army Council. Therefore
blame there be, attaches to them. Let me make that quite clear.
had grown up unconsciously, instinctively, much the same di
tween the Admiralty and the Navy Office; or, to talk in arr
between the G. and Q. sides, which had existed in the old
evolution and its results was in full accord with the wishes
Prince Louis of Battenberg. It was confirmed and emphasise
cessor, Lord Fisher. Such as it is, it is the system that rules
another First Lord and another First Sea Lord. Such as it is, it
which has carried us all thus far.

Leaving the Navy Office aspect, let us look more closely into th
sphere. How was the control and direction of the fleets found
cised? All centred round the First Sea Lord and the First Lord, l
in complete harmony and comradeship. In Prince Louis' time t
at once on the outbreak of war a War Staff Group. It consiste
Sea Lord, the Chief of the Staff, the Second Sea Lord and t
under the presidency of the First Lord. This group met daily,
with additional members, usually for an hour and a half or tw
examined the whole situation. At the close of each meeting it w
for various members to embody the main results of the discussi
of minutes and telegrams which were sent to all departments a
concerned. I did the bulk of this work myself, because I kne
co-ordination of Admiralty business and the general war
Government. These minutes were then sent to the First Sea
nearly always concurred in them, because they represented wh
decided together in counsel. At the same time all the Sea Lo

said, were aware of what was going forward, and they and the departments initiated and passed forward administrative business of every kind quite freely, and all came on through the First Sea Lord to me, sometimes being the subject of discussion at a War Group meeting, but more often settled on paper.

When Lord Fisher became First Sea Lord he urged upon me a great strengthening of this War Group, and it became still more the supreme and isolated centre of naval war direction. As I formed it, with his full agreement and under his suggestion, in November 1914, it consisted of the First Lord, the First Sea Lord, the Chief of the Staff, Admiral of the Fleet Sir A. Wilson, the Secretary to the Board and the Naval Secretary. This group settled everything connected with the conduct of the operations of war. Such as it was, it presided over the Admiralty during a period when the seas were swept clear of the enemy's flag, and while every preparation to overcome submarine warfare against merchantmen had been successfully made.

As it was then, so it is to-day. After fifteen months under a new First Lord, a new First Sea Lord, and a new Government, the War Group is exactly the same as Lord Fisher and I left it. Not only are the same offices represented in it and no more, but with the exception of the change in First Lord and First Sea Lord, the same men are in the same places. The war operations of the navy, when the Dardanelles attack was decided on, the war operations of the navy when I left the Admiralty were directed by the First Lord, the First Sea Lord, Admiral of the Fleet Sir A. Wilson, Vice-Admiral Oliver, the Secretary, and Commodore de Bartolomé. That is the identical system, and these are the same men who are in charge to-day. And please observe that, though there is a new First Sea Lord, that officer is Sir H. Jackson, who played himself a decisive part in the plans of making the naval attack on the Dardanelles. Therefore, I am entitled to cite this system and these authorities, not only on their own merits, but because this is, in fact, the system, and these are, in fact, the authorities, because this is the only system and these are the only authorities, under which the navy has been and is being ruled.

You have no doubt studied the papers laid before you by the Admiralty. I should be almost content to rest myself upon them so far as professional opinion and staff work are concerned. The four documents to which I particularly refer and on which I base myself are printed in Appendices (B 1), (B 2), (B 3), and (B 4).[1] To these I may add the formal assent of the French

[1] Document B 1 was Carden's telegram to Churchill of 11 January 1915 (printed on pp. 405–6). Document B 2 was Sir Henry Jackson's memorandum of 15 January 1915 (pp. 419–21). Document B 3 was the Dardanelles Operations Orders of 5 February 1915 (pp. 485–90). Document B 4 was Jackson's memorandum of 13 February 1915, which was sent two days later to Carden (pp. 506–12).

Government, after examination of the Admiralty plan, contained in the letter from the French Minister of Marine. The professional authority is the highest in the land *at this moment*. If the detailed plans there set forth by the present First Sea Lord and Chief of the Staff are foolish and incompetent, if they reveal ignorance of the simplest propositions of modern naval gunnery, if they were wholly visionary and impracticable, then that professional authority is rightly overturned. But if it is not overturned, then it must be accepted. And if it is accepted I have a right to say that I had unimpeachable expert authority for the statements I made to the War Council.

I propose to ask you to call these officers before the Commission, in order that you may yourselves examine them.

I propose also to ask you to examine, if necessary, the Secretary of the Board on the methods of Admiralty direction, in order that he may confirm and amplify my evidence.

Now there are two points for me to make clear: First, that though in my time a large proportion of the operative minutes and drafts of telegrams emanated personally from me, these were the result not of my own knowledge alone, but they summed up and embodied the results of daily consultation, often extending over two hours and sometimes longer. Secondly, whenever I went to the War Council I always insisted on being accompanied by the First Sea Lord and Sir Arthur Wilson, and when, at the War Council, I spoke in the name of the Admiralty, I was not expressing simply my own views, but I was expressing to the best of my ability the opinions we had agreed upon at our daily group meetings; and I was expressing these opinions in the presence of two naval colleagues and friends, who had the right, the knowledge, and the power at any moment to correct me or dissent from what I said, and who were fully cognizant of their rights.

I wish to make it clear also that all the operative telegrams were the result of consultation between the First Sea Lord and myself, and, like every order of importance which has emanated from the Admiralty in peace or war during my tenure, bore the written authority of the First Sea Lord. I wish to make that point clear. I may extend it and say there is no important act of policy, no scheme of fleet distribution or movement of ships or plans of war, which have been acted on during my tenure in which the First Sea Lord has not concurred in writing.

To all this I should add that, after the outbreak of war, I devoted much consideration to the development of the War Registry, with its system of marking telegrams for circulation. By this the greatest promptitude of action was combined with the proper acquainting of all authorities concerned with what was going forward. This system is elaborate and, I believe, perfect. At any rate, no improvements have since been suggested.

Upon the above basis, and subject to the aforesaid conditions and limitations, by which I was always bound, and which I was always careful to observe, I endeavoured to secure the utmost efficiency and vigour in the carrying out of any decision that had been come to, and generally throughout the whole sphere of Admiralty administration.

There are only two other points which I should make in this connection. First, you must not suppose that the written records and formal meetings embody the whole of the discussion between members of the War Council. On the contrary, we were always talking over the whole situation in twos and threes. Particularly is this true with regard to the Prime Minister, Lord Kitchener, and Sir Edward Grey, with whom I was in almost daily consultation. These three men—Sir Edward Grey to a lesser extent than the other two—were practically managing the war and controlling action. They had the power and the effective authority over all matters, positive or negative. I stood very close to them at this time; but except in purely Admiralty matters, I had not anything like the same power. In a certain sense I regarded myself as the Lieutenant of the Prime Minister, who was head not only of the Government but of the War Council. Mr. Lloyd George, though not at the head of a combatant department, also exercised a great influence over events.

Secondly, while this Dardanelles business, which you are making your special study, was going forward, the great war was proceeding in every part of the world, and many other matters of the utmost complexity and consequence came upon us from day to day. At the Admiralty alone we were in the highest possible state of activity; designing and building hundreds of vessels; watching from hour to hour the German Fleet; sending our fleet to sea to fight important actions; coping with the enemy's new attack by submarines on commerce, and preparing plans for future action. To judge the Dardanelles business rightly, you must see it not only clearly, you must see it in its place, and you must see it in its proportion.

This concludes the first section of my evidence.

Winston S. Churchill: statement to the Dardanelles Commission, extracts

(Churchill papers: 2/75)

28 September 1916

We had undertaken to begin a serious bombardment of the Dardanelles forts, and to attempt, without the aid of an army, by a new and gradual method of piecemeal reduction to fight our way slowly into the Marmora. But we believed we could withdraw from this operation at almost any stage of the difficulties and the Turkish resistance proved unexpectedly great. And so far as the Admiralty was concerned—apart, that is to say, from general considerations of policy and prestige—we could indisputably have broken off the operation at any point, and we did in fact do so after the 18th March. It is not like an army landed on the Peninsula which you have to take off again under fire. Ships can turn round and steam away at any time, and it is all over. Further, the ships we proposed to risk were almost all of them valueless for any other purpose. Four of them, indeed, had already been condemned to be scrapped, and most of the others were of similar type. Had they not been used in this way they would have rusted in our southern dockyards. They were only fit for subsidiary bombarding operations. I am excluding, of course, the 'Queen Elizabeth', the 'Lord Nelson,' the 'Agamemnon' and the 'Inflexible.' They were surplus to all the vessels by which our supremacy at sea was maintained. It would have been simple murder of their crews to put them where modern German battleships might catch them. They were quite useless for a fleet action. Yet here in the Dardanelles these old vessels might, if all went well, change the history of the world, cut the Turkish Empire in two, paralyse its capital, unite the Balkan States against our enemies, rescue Serbia, help the Grand Duke in the main operations of the war, and by shortening its duration save countless lives.

* * *

We had undertaken this operation, not because we thought it was the ideal method of attack, but because we were told that no military force was available: and in response to the most serious and urgent appeals for help from Lord Kitchener and the Grand Duke, we had undertaken it with our surplus resources *after* we had successfully and fully discharged and provided for all those great duties of the navy, the safety of the island, the clearance of the seas, the protection of commerce, the transportation of troops—for which perhaps the Admiralty deserved some measure of confidence and gratitude. So far as I am concerned I undertook this task out of a sincere wish to aid the common cause and to make the weight of the navy tell as effectively as possible. This, I thought, was my duty.

I will make this further observation.

It is not right to condemn operations of war simply because they involve risk and uncertainty. Some operations can and ought to be made certainties. Others belong to the class where one can only balance the chances, and action must proceed on a preponderance of favourable chances. For instance, the naval attack on the Dardanelles in its final and decisive phase was, of course, a sharp hazard of war. But so were a great many other things we had done successfully since the outbreak. Sending the fleet to its war station on the

29th July by the eastern route instead of northabout was a risk. Throwing the whole British Army across the Channel in the early days of August was a supreme risk, both military and naval. Carrying the 7th Division and 2nd Cavalry Division to Zeebrugge to October, 1914, in the teeth of the enemy's submarines, was a most serious risk well run by Prince Louis of Battenberg in my absence at Antwerp. Withdrawing two battle-cruisers from the Grand Fleet to the Falklands to destroy von Spee was a risk. Every time the Grand Fleet has swept down to the German coast there is heavy risk. Sending two entire brigades of infantry in a single ship ('Aquitania') to the Dardanelles through submarine-infested waters, which was run both in my time and in my successor's time was a very serious risk. Fighting the Battle of Jutland in the enemy's waters was a tremendous risk. All these operations, on which the successful prosecution of the naval war has been founded, were pervaded by grave elements of risk in matters of superior importance to the naval attack on the Dardanelles. Therefore it is idle to condemn operations because they involve hazard and uncertainty. All war is hazard. Victory is only wrested by running risks.

If, in regard to an operation, it can be shown—

1. That there was full authority;
2. That there was a reasonable prospect of success;
3. That greater interests were not compromised;
4. That all possible care and forethought were exercised in the preparation;
5. That vigour and determination were shown in the execution;

then I say the operation ought not to be condemned, even if it was not carried to its conclusion, simply on the grounds that it involved risk.

* * *

Lord Kitchener's personal qualities and position played at this time a very great part in the decision of events. His prestige and authority were immense. He was the sole mouthpiece of War Office opinion in the War Council. Everyone had the greatest admiration for his character, and everyone felt fortified, amid the terrible and incalculable events of the opening months of the war, by his commanding presence. When he gave a decision it was invariably accepted as final. He was never, to my belief, overruled by the War Council or the Cabinet in any military matter, great or small. No single unit was ever sent or withheld contrary, not merely to his agreement, but to his advice. Scarcely anyone ever ventured to argue with him in Council. Respect for the man, sympathy for him in his immense labours, confidence in his professional judgment, and the belief that he had plans deeper and wider than any we could see, silenced misgivings and disputes, whether in

the Council or at the War Office. All-powerful, imperturbable, reserved, dominated absolutely our counsels at this time. If in the course of my observations and the documents it is my duty to lay before you appear to constitute any reflection upon his military policy, I wish here to testify to the overwhelming weight of the burdens laid upon him, to his extraordinary courage and patience in all the difficulties and perplexities through which we were passing and to his unvarying kindness to me.

The records of the War Council give the salient points in the discussions about the sending of troops. I do not know what has been settled about them, but I was continually pressing for troops to be sent to the Eastern Mediterranean and I used any argument I could think of which would expedite their departure or increase their numbers.

. . . I must here remind you of the warning which I addressed to the War Council and of my written document of the 27th February,[1] two months before, of the imperative need to concentrate the largest possible force which was available for contingencies in the Eastern Mediterranean. The Admiralty had never failed to meet every demand for transport, and had more troops been allotted to the enterprise we could unquestionably have carried them. There is no military or naval reason of any kind whatever why the attack of the 25th and succeeding days should not have been made and sustained by another Territorial division from England, by another French division which could have been had for the asking, and by the Territorial division standing idle in Egypt, as well as by various other details which were available; the whole in addition to the troops actually employed. It would have been a measure of pure precaution to have concentrated these troops in the neighbourhood, and it would have been quite practicable to have provided and arranged transport to enable them, *if needed*, to be continuously landed on the Peninsula to support the original thrust. Not only was the whole operation delayed for at least a fortnight, and probably three weeks, by the cancelling of the orders to the 29th Division (originally allocated to this theatre on the 9th February), with all the consequent aggravation and aggrandisement of the enemy's numbers and defences, but even when the decisive attack was eventually launched, a force nearly as large as that which was employed, all of which were subsequently used, was available and stood idle.

I am bound to state these facts to you.

As things were, the troops which were used in the original landing were fought practically to a standstill in their first effort, and they had not the strength to profit by their brilliant and hard-gained success. . . .

[1] Churchill's warning to the War Council of 26 February 1915 (quoted on pp. 568) and his note of 27 February 1915 (quoted on pp. 547–8). The latter, written on 23 Febru was circulated to the War Council four days later.

In *personnel* the results of the operation have been disastrous; in *terrain* they have been absolutely barren. And, although our brave troops on a portion of the front, mocking their losses, and ready to make every sacrifice, are at the moment elated by the small advances made and the capture of prisoners and *souvenirs*, the ultimate moral effect will be disappointing. From every point of view, therefore, the British offensive *per se* has been a great failure. With twenty times the shell, and five times the guns, and more than double the losses, the gains have but little exceeded those of Loos. And how was Loos viewed in retrospect?

6. It remains to consider the effects of this tremendous and most valiant effort on the general situation in the West and other theatres.

It is too early to say whether the British offensive had forced the enemy to suspend during its continuance his costly attacks on Verdun. As soon as our offensive is definitely mastered it will be open to him either to renew them or to use his successful defence against us as a cloak or an excuse for getting out of the job. No doubt the French are pleased. Having suffered so much themselves in blood, they think it is only fair we should suffer too. Their own attack on our right was a fairly profitable operation. This is the solitary advantage in the West.

Nor can it be claimed that our offensive was necessary to the Russian successes in the East. Their greatest success was gained largely by surprise before we had begun. We could have held the Germans on our front just as well by threatening an offensive as by making one. By cutting the enemy's wire, by bombardments, raiding and general activity at many unexpected points begun earlier and kept up later we could have made it impossible for him to withdraw any appreciable force.

If the French were pressed at Verdun we could have taken over more line and thus liberated reinforcements.

7. So long as an army possesses a strong offensive power it rivets its adversary's attention. But when the kick is out of it, when the long-saved-up effort has been expended, the enemy's anxiety is relieved, and he recovers his freedom of movement. This is the danger into which we are now drifting. We are using up division after division—not only those originally picked out for the attack, but many taken from all parts of the line, and being put through the mill and losing perhaps half their infantry and sometimes their infantry officers, these shattered divisions will take several months to recover, especially as they will in many cases have to go into the trenches at once.

Thus the pent-up energies of the army are being dissipated; and if the process is allowed to go on, the enemy will not be under the need of forging

so many troops on our front as heretofore. He will then be able to restore or sustain the situation against Russia.

WSC

Lieutenant-Colonel Newell[1] *to Winston S. Churchill*

(*Churchill papers: 2/71*)

1 August 1916
Confidential

Special Hospital for Officers
11 Palace Green
Kensington

Dear Sir,

I sincerely hope your efforts to bring about a much needed reform by bringing the Ration Strength of a Battalion to also be its fighting or Trench Strength will meet with speedy success. The discrepancy between the two is a scandal & like all such can & ought to be stopped. The reduction of fighting strength by employing fully trained men for such services as the following are I submit unwarranted. Police at Brigade & Divisional H Qrs, Canteen Duties, Traffic control, R. E. Fatigues, Caretakers at posts, Instructors at Bombing Schools, Instructors at Base Depôts.

These services & many others can very well be supplied from the ranks of those not quite up to the physical standard requisite for the front line.

Another source of continual irritation without any compensating advantages is the taking away of numbers of Men, NCOs & Officers for so-called courses & schools. If a unit has not been trained & does not possess special officers to carry on training in such things as Bombing, Sniping, Field Engineering, Scouting, Signalling & such like it should not be allowed to [illegible] If a regiment is so trained & equipped it is the height of [illegible] these days in large numbers of all ranks to [illegible] under false conditions & at the same time deprive the Regiment of [illegible] at a time when they are urgently needed. Under the [illegible] officers & NCO who for 18 & 18 months spared neither [illegible] to make his battalion top in a state of efficiency [illegible] Twenty months ago before becoming a soldier I had [illegible] a company & carried out large public works. I trained the officers in my [illegible] to lay out, site & dig trenches & construct field walls; they passed it up to their men; recently in France I had to send some of them [illegible]

[1] Lieutenant William Mark Newell, 1875–1933, and Lieutenant, [illegible] November 1914; Captain 1915. Lieutenant-Colonel commanding the 17th [illegible] Battalion, June 1915. Wounded, 1916. Transferred to Royal [illegible] 1917. Assistant Director of Light Railways, 1918.

Class 2	Folio	
2/84		Typed copy of Lord Fishers narrative of his connection with the Dardanelles Operations. This is marked "NB the reference to Official Papers in support of this Statement will be found in an Appendix so as to avoid burdening and confusing the next". (the papers are attached with telegrams etc.). Pencilled comment on Lord Fisher's MSS. This is rather altered from what I previously sent you....
2/85	ff 2	PRINT Document marked Property of HBMG SECRET 33 pages The Dardanelles Inquiry. Notes for Evidence by Lt Col Sir Maurice Hankey, Secretary of Committee of Imperial Defence. This copy marked in MSS Mr Churchill. Pages are missing and deletions elsewhere. Introduction and Part I. Covering letter SECRET August 31, 1915 Dear Mr Churchill I have the Prime Minister's permission to show you, for your personal and Confidential information a proof copy of Part II of the Evidence. I propose to give before the Dardanelles Commission. At the end I have alluded to one or two Secret matters of recent occurence, relating to the Defence of India, which I thought had a bearing on the Dardanelles Operation. Will you be particularly careful not to make any allusion to these. Yours sincerely MPA Hankey Note: a later proof of Part I is also enclosed.
	ff 3	SECRET Document Property of HBMG 33 pages Part II of above.
	ff 4	SECRET Document Property of HBMG Part III of above (10 pages).

2/85 (contd) Folio ff 4

Covering letter:
Committee of Imperial Defence
2 Whitehall Gardens

18th September 1916

Dear Mr Churchill

This is a continuation of the Mem of Evidence for the Dardanelles Commission of which you have seen Parts I and II. The proof is sent again for any remarks or alterations that you may wish to have made. I originally undertook to give evidence at my first appearance before the Commission as far as the ~~firmation~~ formation of the Coalition Government, but though I appear before the Commission tomorrow, I have hitherto not had time to complete the final section.

I shall be glad if you would return this copy with any alterations you think require to be made.

2/86 ff 1

Personal and Confidential

Committee of Imperial Defence
2 Whitehall Gardens

September 13, 1916

Dear Mr Churchill

Major Storr[1] of this Office tells me that while I was away last week you asked if you could temporarily have the Secretary's Notes of certain Meetings of the War Council. As you know, the rule is that the notes are not sent out, and that Members wishing to consult them should do so in this Office. In these circumstances, I felt bound to ask the Prime Minister's permission before sending them, and I was only able to see him this morning.

The Prime Minister has now given me permission to let you have the use of the Notes *temporarily*, but on the following conditions:-

(1) That you will return the copies as soon as you have done with them, and
(2) That you will on no account show them to anyone else while they are in your possession.

I, therefore, enclose the copies which I understand from Major Storr that you

2/86 (contd) Folio ff 1

require.

The Commission have not as yet been given these Notes, and the question of principle is not decided as to whether they will be given. Perhaps therefore, you would frame your evidence in such a way as not to show that an exception has been made in your case to the general rule. There should be no difficulty in this as, of course, under the C.I.D. rule you would be entitled to come here and copy the extracts. Still, I should be grateful if you would preserve this precaution.

The Commission now have my Memorandum of Evidence, and after they had received it they asked for another week to study it, so I am not giving evidence till Tuesday, the 19th. Please excuse dictated letter.

Yours sincerely
M.P.A. Hankey

Rest of 1½ including thick file are Secretary's Notes of Meetings of War Council ranging from 28 January 1915 to October 25, 1915. All documents marked SECRET and all Property of HBMG.

First document in the section is stamped in red

"To be returned to the Secretary of the Committee of Imperial Defence, 2 Whitehall Gardens, SW, at the Conclusion of the Enquiry".

Roughly 29 of these but not folio'd throughout all pages.

2/87

Minute by Mr Walter Roch dated 22 December 1916.
Typed
"While I concur with some of the conclusions contained in this report I regret that I am unable to sign it.

The conclusions I have come to and the review of the Evidence which I think, justifies those conclusions are contained in a separate Memorandum.

The Memorandum (PRINTED) follows.

2/88

Collection of certain telegrams selected by Mr Churchill relative to Operations in the Dardanelles (These are officially printed telegrams cut and pasted) Dated from 20

2/88 (contd) February 1915 to 24 May 1915.

War Office send WSC copies of letters and telegrams requested. These are in the main copies of letters Exchanged between WSC and Lord Kitchener between 14 October 1914 to December 1915.

PRINT Document Property of HBMG SECRET Copy No 9 (69 pages)

Naval Operations on the Dardanelles. Admiralty Telegrams between January 3 to May 29, 1915.

Other statistics from Transport Department, Admiralty 13 September 1916 plus further telegrams.

2/89 ff 1 PRINT Document Property of HBMG SECRET Printed for the Committee of Imperial Defence Feb 1907 [sic] marked as at 2/86 stamped in red "To be returned to Committee of Imperial Defence" etc.
Also stamped in red across the top of document "The Director of Naval Intelligence" and in top right hand corner "Mr Churchill" in MSS.

Consists of 5 pages and 2 maps. (Number 92B?)

The Possibility of a Joint Naval and Military Attack upon the Dardanelles

(1) Memorandum by the General Staff

(2) Note by the Director of Naval Intelligence

Whitehall Gardens
December 20, 1096 [sic]

ff 2 Document Property of HBMG with same stamp in red "To be returned to CID etc".

Covering note by Secretary.

"This was a personal Memorandum prepared for the Prime Minister by the Secretary of the Committee of Imperial Defence. By the Prime Minister's direction it was sent privately to:-
Lord Crewe, Sir E Gray, Lord Kitchener, Lord Fisher, Mr Churchill Mr Lloyd George.
D. MPAH 2.9.16

2/89 (contd)

"The remarkable deadlock which has occurred in the western theatre of war invites consideration of the question whether some other outlet can be found for the effective employment of the great forces of which we shall be able to dispose in a few months time.

MPAH 28.12.14 [sic]

MSS notes WSC and Fisher.

ffs12-15 It seems to be very necessary for the Commission to bear in mind the circumstances in which the evidence is pursued.

ffs19-41 MSS notes as a Guide WSC.

ff 42 Note about a paper drawn up by WSC for Sir John French Commander-in-Chief (at his request) Entitled "Variants of the Offensive" also sent to Lord Cavan and to the Prime Minister which WSC understands was circulated as a CID paper on testing of weapons.

ffs43-46 MSS notes on Paragraphs of Evidence.

2/90

Letter from Offices of the Cabinet about WSC presiding over Sub-Committee of the CID in Allotment and Location of Sea Plane and Aeroplane Stations the papers of which might contain references he is looking for about torpedo carrying sea planes.

SECRET TORPEDO-CARRYING SEA PLANES
and other papers for Mr Churchill - Secret Session in House of Commons on a Motion.

Note on Allied Strategy sent by David Davis Liberal Wat Committee.

Personal Writ of Captain Fawcet Wray of RN.

2/97 ffs 1-7 Mr Mears name for Honours List

ffs 8-12 See Photocopy of Pages 42-43 Companion Volume IV Part I.

ff 13 THE DARDANELLES COMMISSION

13 March 1917

Dear Mr Churchill
I send you by registered post the copy of the telegram from Sir George Buchanan of the 2nd January 1915 and Lord Kitchener's original letters.

2/97 (contd)	ff 13	Would you kindly get your Secretary to acknowledge the receipt of these documents. They have been brought to the attention of the Commissioners. Yours sincerely
		Draft of the White Paper of the notification about the Report being made Public Roneo'd draft of White Paper sent 15 March 1917.
		Letter (not sent) to Sir William Pickford on Admiral Keye's Evidence.
2/98		PRINT Documents Property of HBMG The Second Phase - SECRET The Third Phase Minor MSS amendments February 1917 The Third Phase Another copy no amendments
2/99	ff 1	Document marked Property of HBMG - SECRET Director of Intelligence Documents appended to Mr Churchill's Statement on the First Phase. Sent top right hand corner Mr Churchill in red pencil.
	ff 2	Documents appended to Mr Churchill's Statement in the 2nd and 3rd Phase of the Dardanelles Operations. Another copy with MSS amendments/comments.
2/100		Letter from Dardanelles Commission February 5, 1917 about Evidence on 22nd-24th days.
2/101		Final draft of Dardanelles Commission Part II Published by HMSO "Proof" copy but destined for sale (only price missing from front page)
2/102		Confidential letter to Sir William Pickkford. There are two further copies of this letter, the first amended and underlined in places.

			Position held
548A	1945	Cabinet Office Paper (CP(45)2T on General Election.	- do -
563-567	1945	Gifts Correspondence.	- do -
570	1922-24	Ulster Boundary.	Various
577	1930	London Naval Agreement.	1st Lord
596	1936-37	Contains Cabinet papers throughout. Concern planning for Coronation of King Edward VIII and subsequently George VI: Coronation Committee of the Cabinet.	Not in Office

Annex 5

Class 8 Literary

A great deal of this class was not available being at Sotheby's. Annex 'A' gives a list of those pieces which have gone there, with a brief description of their content according to the PRO Index/Catalogue of the Chartwell Archive.

The pieces still at Churchill College are files of correspondence which are in a very orderly state in regard to years and content. for example when a piece is described as containing business correspondence with Cassells, Butterworth or Scribners, or as containing a record of accounts paid or letters of thanks etc the content is exactly as stated and there is no official content whatsoever. However in the pieces described as containing "various correspondence" there are official letters. But in the main these letters are the sort that officials would write to present day researchers or authors should information be sought, confirmation required or in the vetting of manuscripts written by officials describing official events. The fact that the help to Churchill was beyond what could have been expected then (or now) is beside the point. The correspondence in the 1920s contains comment from people to whom Churchill sent drafts and/or galley proofs for comment. They included Vansittart (PUS) at the Foreign Office who writes at various times that he has read them at home at leisure and shows them to his wife when they are of particular interest. Sir Maurice Hankey from the Offices of the Cabinet writes in a personal vein. Both these men write on official notepaper and the content is typed but the tone is personal and they recall personam memories of events described in the test.

Correspondence with the Committee for Imperial Defence, Historical Section, Military Branch is well to the fore (their Air Branch less so). General Edmonds of the Military Branch is especially helpful and a great deal of his correspondence although on headed notepaper is in manuscript. The Branch do a lot of research for Churchill into published sources in UK and abroad but also obtain information not yet available anywhere (eg in a response to a request from Churchill for numbers of British wounded between 1916 to 1918 they persuade an RAMC historian to calculate these hurriedly). At one point General Edmonds recommends as a research assistant Charles Hordern a retired Army Officer. When Churchill does employ Hordern, General Edmonds finds him a desk in his own office to keep an eye and guide him in the right direction. Charles Hordern not only has this privilege but writes to Churchill on the headed notepaper of the Branch and manages to send typed letters into the bargain! Therefore all such letters signed by Hordern have to be considered personal. In one letter Churchill is asked not to acknowledge the help of the Branch because this would encourage others to seek similar help. So while this correspondence goes well over what would normally be accorded (if at all) the tenor and emphasis is very much inclined to a personal angle and the letters are therefore in my opinion not state records in the fullest sense of that term.

I did however find one War Cabinet document on the "Question of Manpower" Paper C-185 together with a note by the Secretary dated 2 April 1918. This document was in piece 8/203. I have seen it before and there is probably a copy in the official class of that period or later. Nothing else in 8.203 is official. ?F ..

Examples at Annex 'B' will, I trust, serve to illustrate some of the points made above in that they show the general trend of similar papers. Others throw some light on the practice of the time in regard to clearances and vetting of manuscripts which may help in considering whether my opinion above about state papers is justified or not.

J G VEITCH

27 May 1994

CHARTWELL CLASS 8 LITERARY (WITH SOTHEBY'S)

PIECES

1- 6	Articles	1890-1899	Type Press Proofs Material
7- 9	Savrola	1900	Typescript
11-14	Articles	1900-1901	Type Material Print
17-18	?	1903-1904	? Press
25-26	Lord Randolph Churchill	1906	Proofs Reviews
29	My African Journey	1908	Draft and Proofs
34	Articles	1916-1917	
36-37	Articles	1918-19	
39	Articles	1920	
42	Preface to New Edition of Lord A Churchill	1922	
43	Article Trade Union and Coop Society	1922	
51	Articles	1923-24	
52	World Crisis Preface		Copy
53-74	World Crisis I		Copy
75-95	World Crisis II		Copy
96-109	World Crisis III		Copy
110-132	World Crisis I		Proofs
133-156	World Crisis II		Proofs
157-176	World Crisis III		Proofs
177-179	World Crisis	(Fisher Letters) - etc	Material
180-181	World Crisis I		Notes and Material
182-184	World Crisis II		Notes and Material by Translators
185-191	World Crisis III		Notes and Material
191-192	Miscellaneous		Printed Sources
193	World Crisis I and II		Reviews
194	World Crisis III		Reviews
195	World Crisis		List of recipients

PIECES (Contd)

200	Articles	1924	
202	Articles	1925-1927	
215	Articles	1927	
221	Articles	1928	
231	Articles	1929	
233-244	The Aftermath		Copy
245-252	The Aftermath		Proofs
253-254	The Aftermath ?		Notes and Material
255	The Aftermath ?		Notes and Prints
256-265	The Aftermath		Notes and Material Print Reviews
266	Creed and Failure		Notes
279-283	Articles	1930	
285	My Early Life		Reviews
298-304	Articles		
305	Eastern Front		Copy and Proofs
316-318	Articles	1932	
319	Thoughts and Adventures		Copy
338-340	Articles	1933	
341	The Great War		
342-344	Marlborough III		Copy various Chapters
345-358	Marlborough IV		Copy
359	"		Debris of copy
360-361	Marlborough I		Proofs
362-367	Marlborough III-IV documents		Proofs
368-407	Marlborough IV		Proofs
408-416	" for Professor Trevelyan		Proofs
417-425	" for E Marsh		Proofs
426	" for Major Burns		Proofs
427-428	" for Brig Pahenham Walsh		Profs
429-432	Marlborough I		Notes and Material Transcripts
433-434	"		Transcripts

PIECES (Contd)

435-439	Marlborough II		Notes and Material
440-444	"		Translations
445	"		Material
446-449	Marlborough III		Draft Notes Material Transcript
450-452	"		Translations
453	"		Material
454-459	Marlborough IV		Drafts Notes and Material
460-465	"		Transcripts of Sources
466-472	"		Translations
473	"		Material
474	"		Material for Translation
475-479	"		Maps
480-481	"		Notes Material Printed Sources
498-501	Articles	1934	
518-521	Articles	1935	
522	My Life (News of World)	1935	Copy
523	"		Proofs
524	"		Press Ctgs
525-527	The Reign of George V (Film)		Scenarios
540-545	Articles	1936	
563-577	Articles	1937	
578	Great Contemporaries		Copy
579-587	"		Proofs
588	"		Notes and Material
589	Short Biographies		Copy
590-591	"		Proofs
592	American Impressions		Copy
593	"		Proofs

PIECES (Contd)

609-621	Articles		1938	
623	Articles		1938	Material
640	While England Slept		1939	Alridge edition
641-656	Articles		1939	
665-676	Articles		1940	
677-679	Not Uneventful			Copy
689-697	Articles		1941	
703-706	Articles		1942	
723	Articles		1945	
724-743	English Speaking Peoples			Copy
744-745	"			Additional Copy and Fragments
746-751	English Speaking Peoples	Vol I Book I		Proofs
752-759	"	Vol I Book II		Proofs
760-765	"	Vol I Book III		Proofs
766	"	Vol I		Additional Proofs
767-773	"	Vol II Book IV		Proofs
774-778	"	Vol II Book V		Proofs
779-781	"	Vol II Book VI		Proofs
782	"	Vol II		Additional Proofs
783-786	"	Vol III Book VII		Proofs
787-790	"	Vol III Book VIII		Proofs
791	"	Vol III Books VIII and IX		Proofs
792	"	Vol III Book IX		Proofs
793-797	"	Vol IV		Proofs Newspaper Proofs
798	"	Vol I		Material and Notes
799	"	Vol II		Notes and Material
800	"	Prof Brogan's Notes		
801-802	English Speaking Peoples?			Notes and Printed Material

Annex B

8/40 ff 50

Foreign Office SW1

July 11th 1921

Dear Mr Churchill

I must apologise for not having let you have an earlier reply to your letter of July 5th but it has required a little time to check the facts.

Your collection of what passed with Japan in 1914 is not quite correct. This will be clear to you if you can spare the time to glance through the enclosed précis of the correspondence passed at the time.

From this you will see that every step taken by Japan between August 2nd and her ultimatum to Germany of August 23rd was taken on the basis of the Treaty obligation. It was from us that on August 6th the incentive came for her to take action against Germany. It is true that as the result of subsequent reflection based on what our Minister at Peking said, we later sought to limit her sphere of action and that in this we failed. But it was undoubtedly on our direct request that she took action against Germany in the Far East. Once the push had been given, no doubt public feeling in Japan against Germany was worked up purposely, just as it was here in England. There was naturally a good field for this in Japan, for her treatment at the hands of Germany in 1895 had always rankled with - and rightly so. But it could not be maintained that it was that feeling and not our direct application which brought her into the war. The terms of Japan's ultimatum to Germany did in some respect resemble those within the 1895 memorandum handed to her by Germany, France, and Russia. but there is no shadow of doubt that the reason for Japan's entry into the war was primarily the Alliance and out appeal of August 6th that she should hunt our and destroy Germany commerce raiders. You will probably remember that message was sent after personal consultation between yourself, Lord Gray, and the First Sea Lord. I have shown this correspondence to Lord Curyon,

Yours sincerely

Eyre Crowe

Above followed by précis of telegrams on the matter from August 1st - August 23rd. Then the text of the ultimatum.

8/40

Foreign Office
London SW1

ff 92

10 December 1921

Dear Mr Churchill

You asked about the hour at which the text of the Austrian ultimatum and Serbia was received here on July 24, 1914. I have looked up the papers and I find the text of the ultimatum was personally handed to Sir Edward Grey by Count Mesondorff and the Record of Conversation which took place was ready for telegraphing to Sir Maurice de Bunser at 1.30 PM. This confirms Tysell's recollection that the interview took place about 11.30.

ff 93 Telegram on Official Form but NOT Numbered

From Admiralty
To C in C Home Fleet
and all Flag Officers concerned

12.50
(above time in pencil and circled)

The Conference of Flag Officers ordered to assemble at Portland tomorrow is adjourned to a later date.

LB 24.7.14

Telegram sent

[Appears to be a later copy - not the original]

8/41 The Entente and Morocco
Austria and the Ballians
How much Germany ignored England from 1-21 July 1911
(Memorandum)

My dear Secretary of State

I enclose a memorandum showing quite clearly has how much Germany ignored my England from July 1 to July 21 1911 when Mr Lloyd George made his speech at the Mansion House. It also shows how effectively that speech made the German realise that England was not be ignored in the matter.

I should welcome any statement you could make showing how powerfully the present Prime Minister contributed on that occasion towards clearing up the matter. Nobody at that time could have spoken with greater effect at Berlin than Lord George.

I also enclose a letter to you from Headlam Mosley our Historical Adviser Foreign Office on the origin of the entente together with an article of his in the Encyclopaedia Britannica which you might think it worthwhile to read up at your leisure.

Perhaps you might feel inclined to let Mr Headlam Mosley see the proofs of that part of your book which deals with these matters as sometimes it happens that prominent men like yourself may commit themselves to some apparently quite innocuous statement to which they may expose themselves; they are then seized upon by innumerable people who are watching for any mis-statement that our statesmen make with a view to wide spread mis representation.

When you have the leisure I would very much appreciate an opportunity of discussing with you the Agader Business to which there is a very unpleasant background. Cailleaux who was at that time French Prime Minister, did "the dirty" on us and furnished the Germans with a strong case of which, to my surprise, they made very little use.

Yours very sincerely

W Agsally (?)

ff 17 Mr Lloyd George's speech of July 21 1911 on Agadèr crisis: reasons: (Typed on minute paper)

ffs 71 and 72 FO note marked Private. A Manuscript enclosing note on Delcassé and Algeciras, and Morocco

8/41 (Contd)

ff 105 (Typed throughout except where indicated)
NID 0141/22 Question of Censorship of the Naval Official History.

SECRET (faded in red pencil) Admiral Sir George Keys (in pencil)

Concur in the necessity for careful censorship of the Naval Official History. It is of great importance that Admiralty our telegrams should not be quoted verbatim

Sighed M Filymaurice
DNI
24.11.22

Various clues or references have allowed to appear [SIC] in Print particularly Mr Fulson Young's book and the press criticisms of that book. the Magdeburgh incident may be useful to account for such references, but it should be our policy ti disclose as little as possible of our actual procedure or its results.

Intd R K
22 12 22

ffs 133-142 Notes on aircraft carriers by Capt D G Murray Historical Section (Air Branch)

AH 21/6/84 Copy No 4

ff 143 Admiralty
18 December 1922

Dear Bechenham

The Foreign Office have transmitted to me your request for copies of telegrams between Mr Churchill and Admiral Mark Kerr early in the war, in regard to the policy which should be pursued in certain eventualities. The FO point out to me that the telegrams were sent in their most secret cypher, and they therefore ask that we should send only paraphrases. The First Lord is, of course, quite happy to let Mr Churchill have the copies of these telegrams but, in deference to the FO request, I am afraid they must be in the nature of paraphrases.

To make the case rather more complete, I am sending you a copy of Gaselee's* letter to me

Yours sincerely

W A Medrow

*FO letter then copied ref (L 4208/4408/407)1922

8/44 ff 30 11 January 1923

Dear Mr Churchill

I am sending you with this an official letter. It would, of course, simplify matters very much if there was official authorisation that documents or confidential information should be communicated to you. Meanwhile, however, I should like to say that so far as I understand, there does not seem any reason why you should not continue if you desire to do so, to consult me and to send me the proofs of any parts of your book on which I could possibly be useful to you, for of course many of the matters which come up are not secret or confidential, and I should be very glad to continue, as I have hitherto done, to give any help in my power from my knowledge of the published literature. It might however, I understand, be desirable that you should not, even if you were proposing to do so, refer to any assistance I may been to you in the preface of your book, so that it shall not appear that the Foreign Office has in any way responsibility for it.

Yours sincerely

J W Headlam Morley

ff 47 Official telegram on Official (pink) form

From Admiralty

To All C in C's etc Date 4.6.14

I presume you have fully informed French Admiralty of our intentions, and that the closest co-operation has been established at all points with the French Fleet. If not, this should be done immediately.

Intd W S C
4.6

Above Typed: Following in red ink in ,manuscript

i) At what time was this sent

2) Surely it applies to the Mediterranean only. There was no French Fleet any where else

Not signed or initialled.

The comment is then typed below the manuscript version.

Folios 46 and 47 are not the original versions but copies supplied for a book.

8/44 ffs 46

Telegram on Official Admiralty (pink) form

From Admiralty 4.8.14

To All ships

General message. The War Telegram will be issued at midnight, authorising you to commence hostilities against Germany. But in view of the terms of our ultimatum they may decide to open fire at any moment. You must be ready for this.

Above Typed

Please supply exact hour

WSC.

Above in red and manuscript

Please supply exact hour

WSC.

Above typed directly below manuscript entry

8/203 SECRET War Cabinet Document

25/T/74

Final Revise of Draft Report of the Cabinet Committee on Man-Power Paper No G - 185

Note by the Secretary Plus Report. Dated 2 April 1918

In this file there is also a letter to Lt Col Sir Maurice Hankey asking for a copy of a paper of the Committee for Imperial Defence which "I wrote to the Minister of Munitions in Spring 1916 dealing with all kinds of mechanical warfare, tanks smoke screens, searchlights etc. I have several copies of it among my voluminous papers. But the search would be very lengthy and if you have a spare copy I should be grateful for it. Historical Section (Military Branch) respond in a manuscript letter on points" on which the Chancellor asked to be informed.

This file contains letters from WSC to various people asking for confirmation of points in his book: seeks comments on text and advice concerning revision of an earlier text. General Edmonds Military Branch of the Historical Section of Committee for Imperial Defence also comments on text and makes a few pencilled additions acknowledging help from varying sources including serving and retired officers.

ffs 76-78 Foreign Office returns three chapters of the book with corrections to the galley proof. Headlam Morley amends. The test is also revised by the Foreign Office Department of Overseas Trade (Development and Intelligence) but it seems to have been on an unofficial basis.

Maurice Hankey writing from the office of the Cabinet sends a reply about measures of International Organisation taken by Lloyd George after the fall of the Asquith Government.

8/204 Letter from War Office giving figures of War Casualties asked for in writing by WSC. Various letters from British Embassy Berlin on some subject obtaining information from German Official historical sources on their casualties, together with those losses incurred by Russia.

ff 35 C

O'Mally will go through papers of Committee for Imperial Defence more thoroughly and can rough out stories for the various theatres and pass them through Historical Section (Military Branch) to officers who can, from personal knowledge correct them.

ff 99

MOST SECRET 28 November 1926

My dear Chancellor

We have examined carefully the further passages of proofs of "The World Crisis" which you submitted to me on 13th instant. It has been necessary to take into account the line followed by the Admiralty in dealing t=with the proofs of the Official History (Naval Operations) and I find that certain deletions were there insisted upon which have a necessary repercussion on the text which you have submitted. The Admiralty consider the reason for these deletions to be as strong now as it was three years ago when they were made. Moreover, the Historian ought not be laid open to the charge of now having given full presentation of facts that must have been within his knowledge, otherwise the credit of the official history would suffer.

Accordingly in the passage of your text commencing "by the end of these books" the deletion of the following words is thought necessary viz: "over long periods" and "at least" in the first sentence. In the third sentence for "whenever" read "often when" and omit "always". and the following sentence commencing "Plans" to be omitted altogether. The concluding sentence of the paragraph should stop at "information" (the remainder being deleted), and "considerable" should be inserted before "stream".

The last sentence of the paragraph next following, which begins "His intention" is held to be contrary to the facts and credits the Admiralty with more definite information that they really possessed. We should be glad therefore if this also were omitted.

In the next paragraph the reference to the intentions of the Germans should disappear in its present form. It is undesirable that the greater details of our knowledge of German movements should be indicated than have already been given on Page 6 of the Official Narrative of the Battle of Jutland or on Page 323 of "Naval Operations" Volume 3.

In the paragraph dealing with the German's alternatives the whole passage from "had all the Admiralty information" to "had not been passed on" should go, as it is undesirable to refer to the German mine-sweeping signals.

There is one other point. You quote in extenso the Admiralty signal made at 112.35. It is most undesirable that any but the guarded sort of reference to be found in the publication above mentioned* should be made to this signal.

The Admiralty considered it necessary to omit from the Jutland Blue Book and its inclusion or any direct quotation in whole or in part in "The World Crisis" would give rise to most serious comment.

Yours very sincerely

W C Bridgeman

*See pages 326 and 328 of Official History and pages 20 and 30 of Narrative.

ff 102

Historical Section (Military Branch)
Committee of Imperial Defence
Audit House Victoria Embankment
London EC4

29:xi:26

My dear Chancellor

I enclose a paper which I got from Major Mitchell RAMC (formerly employed on the History) giving percentages of "Died of Wounds" for the British Forces. Could you kindly let me have the German percentage to copy. I saw the paper at 11 Downing Street and gave it back to you without copying it.

Yours sincerely

J C Edmonds

ff 103 Typed

War Office

25 November 1926

Dear General Edmonds

In reply to your letter of 23 instant I attach some figures which I hope will be of some service to you. They are the result of our research into medical statistics.

The figures for 1914-15 may be taken as being as accurate as any we shall get. Those for 1916-18 were hastily put together today for your requirements and may be subject to certain amendments later when, we have made further investigations.

It would interest me very much to see the figures sent you by the germans, and as they might prove to be of use in our own volume, I should be very glad if you would let me have a copy at your convenience.

Yours sincerely

F G Mitchell RAMC

ff 104 Table of casualties

ff 105 Admiralty

30th November 1926

My dear Minister,

With reference to your letter of 27th November we shall be happy to concede point (2).

As regards point (1), however, I am afraid it is necessary to insist, as we feel that the psychological effect of what you suggest on foreign intelligence departments would be to make them interested either in securing codes or in breaking codes in the future.

I am grateful to you for having agreed to [?] to the other suggestions of the Admiralty and anxious to meet you as far as I can.

Yours

W C Bridgeman

8/217 ff41-42
(L 4784/544/405)

Foreign Office SW1
1st August 1928

Dear O'Malley

I am sorry to have been a rather long time in replying to your various requests for Foreign Office papers, but I have been a good deal puzzled on the matter, and I now have a clear ruling from the Secretary of State.

I am to communicate to you any Foreign Office documents which were in the ordinary course communicated to Mr Churchill in his capacity as a Cabinet Minister.

It is understood - I think this was already adumbrated in the correspondence between Mr Churchill and Tyrell, but there is every advantage in putting it down in black and white - that you will send us the typescript of the new volume for careful scrutiny, which will naturally be done by Headlam-Morley in conjunction with the Political Departments concerned; and we in out turn undertake to give you all the assistance in our power towards correcting any errors or mis-statements that may appear in the projected work.

The despatch about the evacuation of Odessa was not circulated to the Cabinet, so I do not send it. As for Mustafa Kemal, you had remembered Lindsay's account of a ball he had attended at Angora, but that it so little historical value, and you were more probably thinking of his account of his farewell audience, which contains an admiral description of the man, and I send it herewith. You will see that it wants using with care! - and that there are a considerable number of passages which obviously should not be published in any form.

Yours sincerely

Stephen Gasalee

8/217 (Contd) ff 43 4th August 1928

Dear Sir

Mr Churchill desires me to say that he has read your letter to Mr O'Malley. He will be delighted for Mr Headlam Morley to see everything relating to Foreign Affairs in his new volume, and looks forward very much to the kind of help he receive on previous occasions. He does not think that any difficulty will arise or that "careful scrutiny by Political Departments" will be required. On previous occasions Sir William Tyrell at Mr Churchill's request was good enough to read through passages about which Mr Churchill felt some doubt, and in practice scarcely any modifications were required. Should any point of doubt arise, Mr Churchill, would in any case have discussed it with Sir Austen, as of course he writes under the restraint and responsibility of a Minister. Mr Churchill has practically all the important material among his papers, which he guards and handles with the very greatest care and discretion.

Yours faithfully

Private Secretary,

Stephen Gasalle

1924-9 Chancellor of Exchequer

8/218

Foreign Office
SW1

10 December 1928

Dear Mr Churchill

I have received the vast instalment of the Chapters of your book from O'Malley and am returning them to him with a certain number of minor suggestions and criticisms. In this part, so far as I have read, I find nothing which might call for observation from what I may call the Foreign Office point of view.

This applies especially to the chapters on Ireland and the publication of your correspondence with Mr Lloyd George and others there, with which I am of course in no way concerned. If in the later chapters there is anything I will write to you direct.

Yours very truly

J W Headlam Morley

Rt Hon Winston Churchill
11 Downing Street

8/218 (Contd) ff 26

Foreign Office

12 December 1928

Dear Mr Churchill,

I have read carefully and am now returning the four chapters about Russia, which I need not say I have read with great interest.

With regard to the details, I am afraid I can be of little assistance to you; I have no intimate knowledge of these complex Russian affairs and only in one or two places have I made suggestions and criticisms.

Concerning the larger question which is inevitably raised by this authoritative narrative, supported as it is in many places by the inclusion of memoranda and other documents, the view which I take is that in substance the whole is an explanation and a defence of the part which you took and the policy which you advocated while a member of the Cabinet and Secretary of State for War. This policy has in the past been severely criticised and undoubtedly these chapters will, when published be the subject of keen criticism and attack. This is inevitable. It is necessary for your purpose to state, as you do, with the greatness frankness and vigour and without reserve, the view you take about the Bolschevicks; it is equally necessary that you should criticise the policy on actions of the Allied Governments. But in doing so you are within your rights: your exposition of opinions and policy binds no one except yourself. Neither the British Government not this Office are in any way compromised by what you write, not, as far as I see it, can there be any objection taken to the publication of documents, all of which, as I understand, came into your hands at the time and are the necessary support of the argument. No doubt you will personally get from Mr Lloyd George (any anyone else) his consent to the publication of his private or semi-official letters to you.

I do not propose therefore to suggest that any further reference either to Linsay or to Austen Chamberlain is necessary. I shall, however, leave on record here, a note embodying the contents of this letter so that if, as is not improbably, questions were raised in Parliament or elsewhere about these chapters when the book is published, the lines on which an answer could be made would be available.

I have noted in the margin and elsewhere a certain number of passages in which perhaps expressions could with advantage be modified or

softened; I do not know the real history of General Janin's surrender of Kolchak but you will no doubt be careful not to leave this part as it is written unless you are quite certain that the very severe criticism is justified and necessary.

Yours very truly

J W Headlam Morley

8/222

Foreign Office SW1

10th January 1929

CONFIDENTIAL

Dear Winston,

Owing to a few days absence in remote Norfolk I only received the two chapters of your book on my return yesterday afternoon. I read them at once. I should like to have discussed them with Lindsay but he is laid up and you ask pressingly for an immediate reply. I will take the responsibility therefore of giving my opinion without the benefit of Lindsay's advice.

It is a delicate task to be invited to censor a colleague's work and it is a novel one for, as I know, no Minister actually in office has ever yet written a volume on the history of our own days, the events of which are so fresh as still to be matters of international controversy. Frankly I wish the publication of your book could have been delayed until you were out of office, but, as this is impossible, the question I have to ask myself is whether there is anything in what you have written that is likely seriously to embarrass the conduct of our foreign relations. To this, as far as these two chapters are concerned, my answer is no. There is nothing which is so clearly dangerous as to justify me in saying that it must not be published. There is no quotation there or reference to secret documents which have not already been quoted or used by others and much of what you said in criticism of Wilson and of Baker has already been said in other words by the Editor of House's papers. There is, however, one sentence about which you yourself are doubtful, for you have put a marginal note "I am much in love with this, but I expect you will say d-!". I do not feel justified in saying that this sentence should not appear but I suggest for your consideration that it will not make your own task easier in securing such American co-operation as you need in the settlement of the reparation question. Further, have you not found by experience, as I have certainly done, that when, in writing a controversial letter, there has flowed from your pen some phrase you think particularly good, it is generally wisest to cut it our on revision. Although epigram is not much in my line, I often [SIC] once of twice regretted a two epigramic phrase I have never permanently regretted its omission. Ponder this, I beg, and decide for yourself. You will remember your comment to me on the Balfour note: that its' fault was that it was too good. Is not the same true of your own phrase? I return your proof.

Yours sincerely

Austen Chamberlain

It is out (MSS in red)

8/270 On Official Notepaper

Dear Mr Churchill

If you are proceeding with the Eastern Front volume I think I have found a suitable office to assist you and dig the stories out of the German and Italian accounts. He is Lt Col C Hordern retired Royal Engineer Aged 49 passed out at Woolwich and knows Italian German and French. I can put him on to the best accounts and indicate what there is in English. His address is the Army and Navy Club. I suggest £400-£500 a year.

Yours sincerely

J G Edmonds

Churchill engages Hordern and General Edmonds writes again.

"I have provided Col Hordern with a table in my office so I can look after him and let him make use of the books here." Asks for return of papers forwarded earlier.

Col Hordern then writes on Official Notepaper of the Military Branch from March 1930.

8/272

2 February 1930

My dear Edmonds

Herewith the Marne article in the shape in which it has gone to the Printer. I shall get a proof on thursday. I shall be so glad if you will check it, or strengthen it in any way.

Brigadier General Sir James Edmonds CB CMG
66 Eveyln Garden
London SW7

Edmonds replied on official notepaper headed Historical Branch (Military Branch) Audit House Victoria Embankment EC4

8/287 Churchill requests Vansittart, Foreign Office to loan him copies of Foreign Office Print. Vansittart refers him to British Documents on the Origins of the War.

There are various letters from Historical Branch Military Section, from Hankey at the Officers of the Cabinet who writes he read the extremely interesting proofs at home and so did his wife - Dated 11/8/31. Gasalee of the Foreign Office also writes to Churchill (ref L 6306/161.492 of 212/10/31)

8/287 On Official Notepaper

Historical Section (Military Branch)
Committee of Imperial Defence
Audit House
Victoria Embankment London EC4

21 August 1931

My dear Hordern,

On no account should my name or mention of the Branch appear. We should have all sorts of people clamouring for help, apart from possible trouble in Parliament. Please thank WSC for his kindly thought, but say it is wisest to omit reference to the section and that I was glad to help in any way.

Yours ever

J E Edmonds

Historical Section etc

22nd August 1931

Dear Mr Churchill

On my enquiry here what was the exact form in which General Edmonds would prefer his name printed in the preface it was suggested to me that it was possible awkward questions might be asked if you announce publicly that help had been given by the General and this Official Section. I accordingly sent a copy of the preface to the General and as you will see from the copy of his reply which I enclose he is emphatic that no mention should be made. This leave my name standing alone, which is a little embarrassing, but cannot, I suppose, be helped.

I think however, you may perhaps have another look at the preface in this connection and I enclose the copy I sent to the General with his deletion, which he has so made that my own halo is enhanced.

While I cannot bring myself to sacrifice the mention you have so very kindly given me, I equally do not feel I can send the preface to press in this form without your first seeing it again. After all the real help came from Audit House; and I consider that to be named in your book is an honour not be dealt with by anyone but yourself.

I was delighted to hear from Brachen last night that he had been so successful with the serial rights, and I do congratulate both you and him. You may like to know that the first and urgent request from the London General Press is for 50 pulls of the final proof (at their expense). These I hope to be able to

let them have in time, if your final lot of pages come back to me by Monday; failing that, they will (they say) get sooner copies made from the set they now have which I have arranged to correct to date as soon as they let me know what ... they want to use. They tell me in London these will appear in the "Evening Standard".

Meanwhile I am waiting with great interest to see whether the present highly interesting political brings you back again; for your sake I hope not, although from every other point of view I wish it might.

Yours sincerely

Charles Hordern

Copy of Preface follows.

8/288

Office of the Cabinet
2 Whitehall Garden
SW1

August 11, 1931

Dear Col Hondern,

I am returning herewith the proofs of Chapters 1-21 of Mr Churchill's new volume of the World Crisis, together with a letter addressed to Mr Churchill containing my comments. The latter is in a separate envelope but unsealed. I think Mr Churchill will have to deal with it himself, as such comments as I have to make are in the form of suggestions, which may or may not commend themselves to him. In any case none of them are of great importance.

As you will see from my letter to Mr Churchill I have very much enjoyed the proofs and I am rather sorry to have missed the last three chapters.

I leave for the Continent tomorrow and do not expect to be back until about the 4th of September. I expect it will then be too late the last three chapters, or at any rate to make any contribution.

I have in a good many cases marked any printers errors or mis-spellings that I have noticed, as I know from experience it is useful to have an extra eye on such things but naturally I do not pretend to have read it from this point of view.

I have rather missed your maps and I think you must have had a rather hard task in completing them as none of my own maps, or even those of Ludendrof's book were entirely satisfactory.

Yours sincerely

M P A Harhey

Lt Col C Hondern
Army and Navy Club
Pall Mall

(Letter to Churchill is <u>not</u> in file)

Annex 6

CLASS 9

9/24	1907	Colonial Affairs 1) Defence ffs 1-2 MSS on CONP. 2) Colonial Conference: ffs 3-5. J B Robinson and WLNA on New Hebrides Construction - Colonial Conference 3) ffs 7-8 South 'Africa - Character of Boer Tribes etc MSS on back of old envelope 4) ffs 9-18 Transvaal Elections Labour Chinese settlers Miners MSS notes and Press cuttings 5) 19-51 MSS notes on South African Affairs. Transvaal loan etc etc. (The latter are a mixture but concerned with SA.)
OFFICIAL		
25 9/~~24~~	1907	Colonial Preferences MSS Notes. Press Cuttings and extract from Canadian House of Commons Hansard.
9/26		(Incorporated within the 9/25 piece). This consists one booklet on the Northern Nigerian Railway published by The British Cotton Growing Association and comprising speeches by The Rt Hon Winston S Churchill MP (with a picture of the Churchill Gunnery, Lafenwa, Lagos) Churchill speeches cited Debate in House of Commons August 22 1907. Extract from Manchester Guardian of speech by the Rt Hon Winston S Churchill MP Under Secretary for the Colonies (at a Farewell Banquet given by President and Council of British Cotton Growing Association on August 23 at Midland Hotel Manchester for W S C on the occasion of his departure to British East Africa. Note:- There are no other papers attached despite catalogue and the two entries must be taken to refer to the Speeches within the publication.
9/27		Typed copy of Speech by W S C at Drury Lane Theatre 20th April 1907 on Land Reform in UK. Press Cutting: MSS on CON/P. ffs 9-17 Copy of The Liberal Monthly for May 1907 with article Crusade on Land Reform.

Blue- Press cutting, Hansard a other published material

Yellow- political or personal

9/27 (Contd)

Publications. Report of the Agricultural Organisation Society for 18 months ending 30.6.06.

Book — A Plea for Agriculture. (By one of the People)

Booklet — Another plead for Agriculture (By one of the People)

Booklet — A plea for Small holdings by Percy A Moltero MP

Booklet — Small Holdings and Land Value (Fair rents Crofters Act etc)

Booklet — Rating Reform in Rural Districts: How to relieve Agriculture

Booklet — Small Holdings : A Practical Policy by Francis Allston Channing MP

ff 26 — Memorandum by The North East of Scotland Land Defence Association on the Small Landholders (Scotland) Bill (1907) Printed.

ff 27 — Scottish Land and Property Federation: The Small Landholders (Scotland) Bill 1907: Statement of Scope and Effect of Bill (Prepared by a member of the Committee) Printed

ff 28 — Scottish Land and Property Federation: Memorandum on The Small Landholders (Scotland) Bill 1907.

9/28

Speech "Door Banged, Barred and Bolted on Food Taxes" Edinburgh May 28th 1907. Typed.

Headings Liberal Party's Wonderful" finance.

Protectionist disguises: Private pilfering from the Public Press: Old Age Pensions: The Imperial Conference and preference: Trade Routes: A Fiscal Oliver Cromwell: General Botha: Ireland. (Typed)

Dundee Advertiser sends copy of "The papers' report on Speech at Edinburgh (ffs 19-27).

9/28 (Contd)	Booklet Report of speeches at the Cobden Club Dinner held at The Hotel Metropole on 4 July 1907 on Free Trade at which W S C was present. (Speech is by Chairman)
OFFICIAL	MSS ffs 29-30 MSS notes on Uganda -headings for a Speech?
	ff 31 Extract Grant-in-Aid of Local Revenues (in Table form) to Colonies.
OFFICIAL	Printed.
OFFICIAL	ffs 32-37 MSS headings Notes made in Hotel Bristol Paris: Equatorial Protectorates. East Africa, Uganda, India all mentioned (at beginning of tour of East Africa).
9/29	MSS notes for speech House of Commons February 6 1908 on Retrenched Transvaal
OFFICIAL	Civil Servants ffs 1-3.
PRIVATE	ffs 4-6 MSS notes: Miners Eight Hour Bill. Debate in House of Commons MSS notes. Contd ffs 8-12.
9/30	Correspondence on Speech to be made at Manchester on Free Trade ffs 1-3.
	ff 4-7 Typed paper Huskisson's Reforms 1822-25. (No clue as to source but about Tariff Revisions).
	ff 8 Booklet The Free Trader.
	ff 9-15 MSS Table of Export Trade of the undermentioned Countries in 1907. UK, Germany, France, US Memorandum a Consumption of Cotton: Memo on Increase of machinery in UK etc etc.
	ff 16-21 Typed Table headed UK. Recent Growth in Foreign Trade.
	ff 22 Press Cutting ff 23 Booklet: Notes issued by The Unionist Free Trade Club. ff 24 Tract Lord Randolph Churchill on Drink and Trade.
	ff 25 Cotton Spinning Profits (Printed table) ff 26 Press Cutting.
	ff 27-28 Typed Board of Trade Embossed: Note on the new Australian Tariff.

9/30 (Contd)	ff 29-39 MSS Hotel Bristol PariS N/P Balfour and Tariffs. (Writing changes at ff 33. Labour questions in Trade context.
	ff 40-56 From the Manchester Guardian of Jan 22 1908. Report of Mr Churchill's Speech in the Free Trade Hall, Manchester Roneo'd "Sacrifices for Free Trade.
9/31 PRIVATE	ff 1-42 Typed: Free Trade Birmingham January 23 1908
	ff 43-45 First Manchester Speech April 1908. MSS notes. Party Political Election Free Track.
	ff 46-61 No heading: Mr Chaplin whose life has been given to cause of Protection. Typed.
	ff 62-65 MSS notes on Ireland.
	ff 66 Booklet for Liberalism and Free Trade: incorporates Speeches of the Rt Hon W S C MP President of the Board of Trade during the memorable Campaign in Dundee May 1908.
	ff 68-73 MSS on BOT N/P What is Society - A Grim Joke. Labour - not socialist. If Liberal Government on one hand confronted Min of Labour O by elections soon replaced by another Government etc.
	ff 74-82 Irish Question MSS ff 75 etseq Elections Importance. Liberalism as a force.
	83-96 Typed Text Speech Birmingham. Election Speech.
	97-101 Board of Education N/P. Rough Points for Speech. Typed. To be made in Lancashire on Education.
	102-107 Typed. Case for and against the Sugar Convention. ends I write in great haste and without time to arrange my ideas ? For Speech?
	ff 197-109 MSS Taxpayers. Trade in Europe. Patents Act.

9/32	ff 1-19 Typed. Speech on Daylight Saving March 5 1909. Extract from Hansard: Effect on Trade and Labour.
	ff 20-26 No beginning. Typed. Budget speech with MSS amendments.
	27 - MSS BOT N/P Mercantile Marine. Offices are Labour Exchanges.
	ff 28 unemployment MSS. Back of envelopes etc miscellaneous.
9/32 (Contd)	ff 34 MSS note on Tariff Index Numbers.
	ff 35-38 MSS notes on Railway Amalgamation Bill.
	ff 39-50 MSS notes on Budget 1907.
9/33	ff 1-19 Typed. Sustaining the Liberal Cause: Election and peril to British Democracy Birmingham 13 January 1909. Text - amended draft.
	ff 20-23 Meeting of the Budget League: Object to set on foot a vigorous campaign throughout the constituencies to assist in passing the Budget into Law. Typed.
	ff 25-26 MSS notes. Dundee 27 January 1909. Destroying Liberal Party - Election material.
	ff 27 Leaflet Budget Issues: a Speech delivered by The Rt Hon W S churchill MP (President of the Board of Trade) at Edinburgh on July 17th 1909. Land Taxation. Income Tax House of Lords.
	ff 28 Magazine Peers or People - a Record of Wrong. Mr churchill weighty words on Revolution of the Rich (among many other articles).
	ff 29 Argument against 10% Ad Valorem Duty "Pilots of Disaster" Liverpool. MSS notes/draft.

9/34

Speaking in Lancashire from 2-12 December. Visiting Manchester, Preston, Southport, Liverpool, Bolton, Burnley, Oldham, Crewe etc. Requests notes on trade and labour conditions in each town on comparisons of trade activity in Lancashire with trade in protected countries. Tables in MSS of information required.

ff 21-34 Printed Paper on Warrington

ff 35-51 Further statistics. Cotton Industry, Cargoes on Ballast etc. Employment.

ff 52 Burnley

ff 66 Suggested points for Free Trade - Land Value Taxation arguments re Manchester
ff 67-79

9/34 (Contd)

ff 80 Notes (typed for Speech at Salthurn. Unemp Trade. Unen Insurance etc etc etc

9/35

ffs 1-2 Typed. Private N/P. Rights of Member of HOC.

ff 3-4 MSS note. Philosophy. why have people ceased to think.

ff 6 Print of Bill to Prohibit Gambling on Less by Maritime Perils.

ff 5 and 7 - MSS notes about events in 1884-85.

ff 8 and 9 Pencilled Hansard 359 heading but MSS notes not comprehensible.

ff 10 - Socialism and Protectionism MSS draft/notes Chinese Labour in SA. Philosophy on use of labour.

9/36

(In same volume as above.) ffs 1-8 MSS notes on Home Rule. ffs 4-10 Notes on Women's Suffrage. ff 11-26 House of Lords Reform.

9/37

ff 1-33 Typed Speech on House of Lords December 1, 1910 to electors of Dundee. ff 34 Press Cutting. ff 34-36 Admin. ff 37 Leaflet Temperance in the Army: Valuable testimonies from General Officers, Commanding in Chief. ff 38 Tract Ernest Men Series: The Salt of the Earth by Sir George White. ff 40 Army Medical Department Report for 1908. Printed official.

ff 42 What Famous Generals say. Cutting from Magazine "on the March".

ff 43 MSS note (not in W S C's handwriting) on Detention Barracks instead of Prisons. ff 44 Typed minute unsigned unaddressed on Detention in Army.

ff 45-56 MSS notes on Army matters. Territorial Cavalry.

ff 57-60 General notes on past elections. Taxes, Tariffs etc etc etc.

9/38

ff 1-2 Letter from Free Trade Union Statistical Department. Board of Trade papers showing Shipping movements at Dundee for 20 years: Shipping built: Imports of Raw Jute. Exports of Jute yarn etc some in MSS some typed.

ff 28 Typed papers from The Budget League Mainly Official but would need to be read again to claim appropriate folios.

ff 51 Extract from The English Review January 1910. The Continuing Forces" by L T Hobhouse (Budget and Finance Bill).

ff 52-45 Printed General Election. Campaign Notes December 31, 1910. Prepared by Liberal Publication Department.

9/39

Speech by The Secretary of State for the Home Department Mr Churchill. National Insurance Bill 2nd Reading 25th May 1911. Typed.

9/40

ff 1-2 Press Cuttings. Dundee and Naval Strength.

ffs 4-9 MSS notes. Parliament Bill.

9/41

ffs 1-54 Typed copy House of Commons Home Rule Bill April 30, 1912.

ffs 56-59 Notes for Speeches on Home Rule. (15.2.11, 30.4.12, 10.10.12, 1.1.13)

ff 56-65 Typed Extracts from The Times and Irish News etc.

ff 66-72 MSS. Notes on Home Rule. Freedom of Debate.

ff 73- Leaflet/Tract. How Unionist Ulster fights.

ff 74 Booklet. The Belfast Outrages. Who is Responsible.

ff 75 Print: no source. See Edward Carson's Threats in 1898.

ff 77-79 MSS on Carson.

ff 83-97 MSS Notes for Home Rule Speech House of Commons 10 October 1912, Wednesday 1 January 1913.

9/42

ff 1-22 Typed copy of W S C's notes for Estimates Speech on naval policy etc.

ff 23-24 Press Cuttings.

ff 25-65 Typed copy. House of Commons Introduction of Admiralty Estimates July 22nd 1912.

9/43

ff 1 Booklet. Irish Home Rule. A speech by Rt Hon Winston Churchill MP (First Lord of the Admiralty) at Belfast on February 8th 1912. Published by The Liberal Publication Department.

ff 3-11 Typed copy of speech at Belfast as reported by Canadian Press Despatch.

ff 14-37 MSS Notes on Home Rule.

ff 41 and 42 Press cuttings 41 on Supremacy of Nave. 2 copies of same.

ff 43 Local Parliaments for England. Press Cutting Federal System.

9/43 (Contd)

ff 44-46 Typed. Unemployment ... for which I was responsible as President of the Board of Trade and in which I take a special interest (no indication where). ff 57-69 copy of this.

ff 57- Speech notes for Dundee on 11 and 12 September 1912.

ff 79-82 Shops Act 1912.

ff 83 Bye Elections Government majorities and Split Votes.

ff 84 HMSO leaflet. Home Office Memorandum on the Law Relating to Shops.

Notes on Unemployment and Insurance.

9/44

ff 22 Press Cutting. ffs 3-8 Someone else's MSS notes on Balkans. ffs 10-11 Press Cutting.

ff 13-15 MSS notes on Irish Question covering Insurance Bill, Party Politics, Trade etc etc and Ulster.

ff 40 Typed copy heavily underlined in red on Ireland and consequences if Home Rule were "defeated now by violence".

9/45

ff 1-2 MSS. Election and Mr Balfour.

ff 3-4 Headings (Typed) for main elements of speech unspecified.

ff 7- Opposition Party and policy on Ireland.

9/46

(Incorporated in same folder as above. Typed Extract from The Times of 17/11/13. Insurance Reform.

9/47

ffs 1-4 Press Cuttings.

ff 5-7 Times Rept on Mr Churchill's Speech at Dundee on Federal System in UK. October 9.19.13 Repeated ffs 8-10, ffs 11-13.

ffs 14-21 Typed notes for Speech covers Ireland. Home Rule Ulsterman.

9/47 (Contd)

ff 22-30 MSS notes on Review of year on House of Commons - Party Politics.

ff 31-58 Typed speech from notes. Ireland.

ff 59-68 Typed speech from notes. Land Problems and Reform.

ff 69- .... N/P. Typed speech (pencilled Manchester October 18). Home Rule in Ireland: Land Problems: naval estimates. (from ff 74) and European background to these.

ff 83-98 Typed Speech - Full version of ff 59-68. Made in Lancashire.

ff 99 Press Cutting.

ff 100-107 Typed speech from Alexandra Palace November 15 19213. General matters of Politics.

ff 108-109 MSS note on Insurance.

ff 110-112 Speech from typed Insurance Taxes on Land.

ff 113-118 MSS notes on Socialism and Liberalism. Land Reform.

9/48

Ackroyd N/P Quotes from various speeches on British Army in Ulster made by others. November December 1913 and into 1941 y letter to The Times, House of Commons etc ffs 1-11.

ff 12-14 Unionist leaders.

ffs 15-18 Typed Speech from Ireland and Troops.

ffs 19-26 MSS notes. Army v Parliament from Speech 30 March in House of Commons - Ulster.

ff 30-32 Typed copy of letter from Mr Rowland Hunt MP entitled His son and the Army: from The Globe of 19.11.13 Headlined: Privileged to fight for Ulster.

33-41 Typed extract from The Times. Irish ~~Taxes~~. TIMES

ff 42-45 Press Cuttings.

M/P = White Paper

9/48 (Contd) ff 46 Den Store King. Danish Translation of W Churchill's Speech on 27 November 1914.

9/49 ff 1-20 MSS notes. Ulster Crisis.

ff 21 Covers typed copy (40 pages - not numbered) of Speech on Irish Crisis, Bradford March 14th 1914. Mr Churchill's message to Ulster. A Final Offer (when 1st Lord). Gathering in connection with the annual business meeting of the ... Union of Liberal Clubs. Typed copy of Times Report in Speech headlined 'Ulster's Claim to Special Treatment'. Ulster Home Rule.

9/50 ffs 1-9 MSS notes. War Preparation.

ff 10 covers 26 pages. Typed of Speech at London Opera House on September 11 1914 on the war moves Resolution: That this meeting of the ... of London, profoundly believing that we are fighting in a just cause, for the vindication of the rights of small States and the public law of Europe, pledges itself unswervingly to support the Prime Minister's appeal to the nation, and all measures necessary for the prosecution of the war to a victorious conclusion, whereby alone the lasting peace of Europe can be assured.

Headings: German Plans miscarried: making sure of Victory. The deeds of the navy ff Pages 17-19. The noise of the Bulldog. The Army's share a million men needed. The Prowess of British Arm a decisive weight: F... a term to the war. Fight like Gentlemen. Parcere subjectis et debellare superbos. The Eloquence of Brutal Facts "The Terror of Europe: Claims of Nationality". The Unity of The Empire.

9/51 ffs 2-5 Duchy of Lancaster N/P. Antwerp Loss of Cruisers. Dardanelles MSS notes.

ff 6-26 Typed Speech form. Dardanelles (What I am going to prove in MSS).

29-95 Typed copy House of Commons November 15 1915 Mr Churchill's resignation. 50 pages.

9/52 ff 1-15 MSS notes for Speech at Dundee on Departure from Admiralty (on Adm N/P)

16-36 Typed copy of Speech after leaving Admiralty: Dundee June 5th 1915.

ff 37 Press Cutting.

ff 38-50 MSS notes. Tomorrow begins 12th month of the War on Duchy of Lancaster N/P.

ff 51 Press Cutting.

9/53 Press Cuttings from The Times Wednesday March ... 1916 on The Navy.

9/54 ff 1-44 Typed copy Speech on Dardanelles Campaign in House of Commons. 20th March 1917 after Conclusions in Report of Commissioners.

ff 45-73 MSS notes on RFC their wonderful Record Aerial Warfare Tank Production in passing.

ff 74-82 Typed with underlining in red. Army and Army Morale and Administration. Re-examination Bill.

ff 83-94 MSS notes on above.

ff 95 MSS notes on Salonica Palestine.

9/55 ff 1-15 Copy of Mr Churchill's Speech at Bedford 10th December 1917: War Aims of the Allies. The Breakdown of Russia. Minister of Munitions Meeting held under auspices of the Local War Arms. Committee.

ff 17 Booklet. England's welcome to Venizelos etc etc. Published by London Anglo Hellinic League.

9/56 ff 1-6 Typed. Addressed by Rt Hon Winston Churchill, Minister of Munitions at a Conference of Rep of Munitions Inspection Department at the Institute of Civil Engineers on Tuesday 15th January 1918.

ff 7-14 Report on speech at Mansion House by the Rt Hon Winston Churchill MP to celebrate the first Anniversary of the entry of Greece into the War:- (Speech all about Greece).

9/56
(Contd)

ff 16-18 MSS notes - Anglo Saxon Fellowship London send greetings to USA on Independence Day.

ff 19-35 Independence Day in London 1918. Resolution and Speeches at the Central Hall Westminster.

ff 30-43 MSS notes on War Office Air Ships: Steel Budget, Tanks.

ff 44 - Verbatim Report on Mr Churchill's Speech delivered at the Luncheon with the Leeds Board of Management in the Queen's Hotel Leeds on Thursday October 10th 1918 - Munition supplies as production in Leeds area.

ff 52 Press cutting

ff 53-95 MSS notes St Andrews Hall. Supplies on Min of Mun N/P which may run on into MSS notes on Peace Terms.

ff 76-79 Typed. German Peace Proposals. 4 pages incomplete.

ff 81-83 Typed as above still incomplete.

ff 84-86 Extract from Mr Churchill's Speech at Dundee 27 November 1918 on Peace Terms.

ff 88-99 Typed. Mr Churchill, The Minister of Munitions met a Joint Conference on Saturday morning of reps of the Employers and of the Trade Unions "Advising Committee" and outlined to them the measures that had been taken by the Ministry of Munitions since the Armistice was signed to liquidate the war business of the Ministry and to facilitate the turn-over of industry from a war to a peace basis. Text of Mr Churchill's Statement.

ff 101-104 Speech from Form Typed. Election speech at Dundee U/D.

9/56

ff 105-115 MSS. Reparations. Dundee.

ff 116-136 MSS Demob and reconstruction.

ff 137-145 Mr churchill at Dundee. Summary for Wednesday morning's papers.

ff 146-154 Copy of above. ff 155-162 yet another copy ff.

9/57

ff 1-30 MSS notes. Army Estimates Speech 3 March 1919.

ff 31-55 MSS notes for Speech in House of Commons 29 May 1919. Army in Russia etc.

ff 56-57 Marked Secret. Extracts from Summary of reports received from Gen Officer Commanding-in-Chief Great Britain on 10th and 15th February 1919.

ff 6062 Army Debate in House of Commons 29 June 1919. MSS notes.

ff 63-69 Typed Speech from Russian Position in Archangel.

ff 70-73 MSS notes. Russia.

ff 74-78 MSS notes for Speech in House of Commons 28th October 1919. Supplementary Estimates for Army.

ff 79-86 Headings Typed for speech on Disposition of Army and Demob.

ff 87-93 MSS notes on Estimates of Army.

ff 94 Press Cutting.

ff 95-108 typed in Speech form House of Commons 5th November 1915. Army Supplementary Estimates - Russia. ff copy as above.

ff 123-139 MSS. Supplies to Deiken and Russia.

ff 142-151 WO N/P. Army Estimates. House of Commons Need for supplementaries because of Russian situation.

ff 152-154 MSS notes on RAF.

ff 155-161 Typed in speech form. Future of RAF.

ff 162-166 MSS. Civil Aviation: future for
ff 167 Typed notes offer of navy to lend mechanics for training to air force.

ff 169- MSS on Air Force.

ff 170 Typed headings. Supply sources for RAF.

9/57 (Contd)

ff 171-177 MSS on co-operation between Armed Services in matters of supply.

9/58

ff 1-4 Typed. Deputation about 100 workers from Ponders End Steel factory visited Ministry of Munitions on January 2 and presented Mr Churchill with a miniature model of a 6 pdr Tank Gun: Mr Churchill's Reply.

ff 5 Booklet. the American Society in London. Report on the Speeches at the Dinner to H E The American Ambassador January 16th 1919. Speech by Secretary of State for War.

ff 7-22 MSS notes for speech to Employees at the Mansion House 19 February 1919 on forming voluntary army: Demob and reconstruction.

ff 23-41 MSS notes for Speech at Aldwych Club London 14 April 1919. Peach Conference at P....

ff 43-49 MSS notes. Party Political.

ff 51-60 Speech at the British Russia Club 17 July 1919. Report taken from The Times of 18/7/19.

ff 61-70 Copy of The Times Report.

ff 71 Press Cutting.

ff 73-85 Speech at The Russia Club 18/7/19. Events in Russia. Typed in speech form.

ff 86 Press Cutting

ff 87-99 Copy of 73-85

ff 100-102 MSS notes for speech at ffs 73-85.

ff 103-112 Speech from typed. Russian Events and MSS.

ff 114- Copy of a speech by Mr Churchill at a dinner not specified but states Major Guest Gentlemen: copy supplied from 12 Downing St - Constitution and British Politics

9/58 (Contd)	ff 126-131 Typed speech from Speech to Officers of Rhine Army at Dinner on 20/8/19.
	ff 132-136 Copy of ff 126-131.
	ff 137-141 MSS notes on Army Council
	ff 143-147 Speech format at Guildhall Lord Mayor's Banquet 9 January 1919 on Army and Air Force in War.
	ff 148-151 Copy.
	ff 152-155 NSS notes on War.
	ff 156 Press Cutting.
9/59	ff 1-12 MSS. Army Estimates Notes.
	ff 13-31 Typed. Abolishment of Conscription.
	ff 32-33 MSS notes on a Mechanical Army.
	ff 34-49 Typed notes on Official Notepaper on Army and Air Force heavily underlined in blue.
	ff 50-89 Typed copy further version of ffs 13-31.
	ff 90 Printed. Naval Military and Air Force Service Act 1919.
	ff 91-92 Various Official papers on Army Estimates 1920-21.
	ff 93-107 Typed minute/note on future Air Force Role in Imperial Defence together with Army.
	ff 112-114 Published Army Estimates for 1920-21
OFFICIAL	ff 113 Minute. Demob W S C to A... General.
OFFICIAL	ff 121-127 Notes for S of S on MGO's Estimates. Official sum.
	ff 130-142 Note on the Military Situation in the Dominions.

9/60

ff 1-36 MSS notes on Air Estimates 1920/21 War Office and Russia.

ff 37-54 Typed Speech from Territorial Army: Army Reserves and Garrisons etc for speech in House of Commons.

ff 56-74 MSS notes on general Dyer Debate in House of Commons 8 July 1920.

ff 75-100 Typed copy of part taken by Churchill on Dyer debate in House of Commons 8 July 1920.

ff 101-132 House of Commons Army Estimates and War Charges.

9/61

ff 1 Press. ff 2 Book. Reason and Vitality by W S C. (Price 3d). Text Speech delivered by Rt Hon Winston S Churchill MP Secretary of State for War at Sunderland January 3 1920. Published by W H Smith & Son.

ff 3-22 Typed Speech format General topics and Sunderland 3 January 1920.

ff 23-30 MSS democratic Government.

ff 31-33 Typed Format. future League of Nations/Peace Conference.

ff 39-54 Speech format typed on Territorial Force on 30 January 1920.

ff 58-59 MSS HM Forces.

ff 61-95 Speech at Dundee. Later printed ff 96 - under Title The position at Alroad and at Home delivered 14 February 1920.

ff 98 Annual Report of Executive Council of Scottish Liberal Association.

ff 102-104 Statement made by Sir William Sutherland on behalf of Scottish Liberal Members who support the PM.

ff 105 Acquisition of Land Act - Note on Press Cutting leaflets.

9/62

ff 1-31 Speech predominantly on Ireland made in Dundee 16 October 1920.

ff 32-73 Typed copy of notes heavily amended.

ff 74-87 MSS. Party Politics.

ff 88-94 Other peoples views on Russia. Typed Speech format. Situation in Russia.

ff 95-97 General MSS notes.

ff 98 Typed copy. No source of delivery but mention of USA ties and US democracy.

9/63

ff 1-31 Typed Speech format. Middle East Vote in House of Commons 14 June 1921. Palestine and Mesopotamia.

ff 32-33 Official Minute.

ff 34-60 Minute giving list of Pledges given to people of Mesopotamia.

ff 61 Hansard for thursday 15 December 1921.

ff 62 Press Cuttings.

9/64

ff 1-9 Address to English Speaking Union. MSS notes.

ff 10-17 Typed Speech format in Cairo on Palestine during visit to Egypt. Jews in Palestine etc.

ff 18-28 Typed version of ffs 10-17. Straight presumably to Mosleen inhabitants of Egypt.

ff 29-30 Minute on Speech.

ff 31-40 Speech at Oxford 28 May on British Empire.

ff 41- Menu for luncheon given by Manchester Chamber of Commerce to Rt Hon Winston Churchill MP, Secretary of State for the Colonies.

ff 42-55 MSS notes. Colonial Affair.

ff 56-57 Typed Speech Format Lenin and Russia.

9/64 (Contd)

ff 58-62 MSS notes on Europe.

ff 63 Booklet. the British Cotton Growing Association Sixteenth Annual Report up to December 31st 1920.

ff 64 Printed. Speech by Rt Hon Winston Churchill MP at the 18th Annual Dinner of the Corona Club 16th June 1921. British Empire Colonial Service.

ff 65-74 Typed Speech format World Affairs: Ireland, Dundee 24 September 1921.

ff 75-110 MSS notes and notes in Typed speech format mixture. Russia mainly Lessons of War, Strikes War Loans. Europe, Baltic States, Eastern Europe etc etc.

9/64A

ff 1-31 Speech format Typed. Irish Peach ...

ff 32-44 Minute? Financial position of Iraq and Palestine.

ff 45-53 Statement on terms of the Agreement in Dublin between The Provisional Government and followers of Mr de Valera in House of Commons.

ff 54-74 Typed Speech format. Irish situation.

ff 75-84 Straight typed copy of above.

ff 85-90 Typed Speech format. Irish situation. Articles of Treaty in House of Commons.

ff 91-97 Straight typed copy of ffs 85-90.

98-118 Speech on Irish Debate 26 June 1922. Irish Policy and Treaty.

ff 119-124 MSS straight note. Election in Ireland.

ff 125 Typed. Irish Signatures to Treaty. Difficulties in Dail and with de Valera.

ff 135-178 House of Commons (Typed Straight) made after murder of Sir Henry Wilson.

9/65A (Contd)

ff 179 Parliamentary Debates House of Commons 26 June 1922.

ff 180-188 Typed Straight House of Commons. Ruthenburg Speech. Government contracts and colonies.

ff 189-202 Msc. Ireland. Official paper.

9/66A

ff 1-18 Typed Speech format to Natural Liberal Council 20 January 1922. Liberalism, Coalition

ff 19 Kenya and Uganda MSS notes.

ff 21-26 MSS. Liberalism. 1920 Club Dinner held on 25 January 1922.

ff 27-30 Typed. What is a liberal. Speech format.

ff 31-33 MSS notes. Coalition.

ff 34-43 MSS notes. Socialism. Election Speech Loughborough.

ff 44-45 Typed speech format Lockborough.

ff 49-51 Ireland. Typed.

ff 52-54 War payments. Typed.

ff 55-66 MSS. Coalition. Northampton 25 March 1922.

ff 47-75 Irish problems etc.

ff 76 British Commonwealth. Typed Speech Format.

ff 78-105 Typed version with amendments of speech at Northampton 25 March 1922. Tax Constitution Ireland.

9/66B

ff 106 Ireland etc. MSS in red.

ff 107-126 Typed 11th November key phrase selectors of Dundee speech format. Amendments in red MSS on manpower, unemployment, British part in creation of League of Nations Situation in Eastern Europe and Turkey. "Ireland is Irishman's business etc. Liberals and Free Trade. Party Political thoughts on votes and policies of parties. Sufferings in Russia, European policies and danger thereof.

9/67 ff 75-90 Typed Speech format and Headings intermingled. Party Politics. Free Trade etc.

ff 91-107 Some repeats of above speeches at Leicester in November and December 1923.

ff 109-114 Speech Format. Olympic Games Venue.

ff 116-121 Speech on Early Closing made to that Association in 1923.

9/68 ff 1-24 On House of Commons Envelopes and Treasury Note paper Mandate of Government: Safeguarding of Industry and Imperial Preferences under new Bill. MSS in black and red. Debate on the address December 17th 1924.

ff 25-29 Typed speech on Government policy on Imperial Preferences.

9/69 ffs 1-7 Election address and Notes for Westminster Abbey Election 1924.

ffs 8-9 MSS notes.

ffs 12-32 Typed Speech format. duty to vote. Party Politics Delivered at The Theatre Royal Dury Lane March 11 1924 at 4.00 pm.

ff 35-40 MSS notes. Party Politics.

ff 41-46 Typed Speech format delivered at a luncheon given to Mr Churchill and his Westminster supporters by Duke of Marlborough.

ff 47 Press Cutting.

ff 49-53 Typed Speech format delivered at Navy League Friday 28th March 1924 on League's policy.

ff 54 Booklet 16 pages. "The Alternative to Socialism" being a speech by Rt Hon Winston S Churchill CH at the Sun Hall Liverpool May t 1924.

ffs 56-58 Press Cuttings.

ff 59-71 MSS notes and Typed headings Housing. Rural Revival for speech below.

9/69 (Contd)

ff 73-89 From Press Association Typed copy of W S C's address at the dinner of the Federation of British Industries held at the Grand Hotel Birmingham June 20 1924.

ff 91-100 MSS notes for Speech at London School of Economics Friday 27 June 1924. Industry: Liberal Education.

9/70A

ff 3-5 MSS notes on envelopes on Life Boat statistics etc for speech delivered at the Centenary Dinner of the Royal National Lifeboat Institution Hotel Cecil, July 2 1924.

ff 6-12 Rone'd notes for the speech above.

ff 15-21 MSS notes on address to International Advertising Convention July 17th 1924.

ff 22 Press Cutting.

ff 24-63 MSS notes for speech at Usher Hall Edinburgh September 25th 1924. Party Politics Ireland etc.

ff 65-81 General Election looming and necessary to defend attacks on institutions, freedom and prosperity.

ff 82-88 Copy of the ffs 65-81.

9/70B

ff 102-104 MSS notes for election speech at Waltham Abbey Town Hall Friday October 3 1924.

ff 105-113 Typed copy of speech at Queen's Hall October 17th 1924 at 2.30 pm on Anti-Socialist union.

ff 115 Press Cutting - Speech in Colston Hall Bristol.

ff 116-118 MSS notes for speech at Colston Hall.

ff 120-122 Typed copy of speech.

ff 124-150 MSS notes for speeches made at Epping during the General Election Campaign 1924.

ff 151-168 Typed notes and Headings and Quotations.

9/70B (Contd)

ff 169-172 Typed: Part of speech delivered in Woodford Essex Thursday October 9, 1924.

ff 173-176 Copy of 169-172 with amendments.

ff 178-186 Typed copy of a speech made to Constitutionalists on Monday 3rd November 1924.

ff 187-192 MSS notes for above speech.

9/71

ffs 2-9 On Chancellor of Exchequer Envelopes MSS notes on Repatriation Recovery Act.

ff 11-43 MSS notes on Budget April 28th 1924 on official 11 Downing St Paper.

ff 44 29 pages. Printed by HMSO. House of Commons Session 1925. Public Expenditure and Revenue Speech by Rt Hon Winston Churchill on making the Financial Statement Tuesday 28th April 1925: Extracted from the Official report of the Parliamentary Debate (Bears a slip: typed in Ted with the Chancellor of the Exchequer's Compliments.

ff 46-61 MSS notes on official notepaper and envelopes for Budget Reply on April 30th 1925.

ff 63-97 Typed Headings and MSS Envelopes on Gold Standard Bill 2nd Reading 4 May 1925.

ff 99-108 MSS on Envelopes. Report of Budget Resolutions - McKenna Duties 7 May 1925.

9/72A

ffs 2-27 Budget Resolution on Sick Duty. MSS and Typed notes.

ff 28-41 MSS notes on envelopes and official note paper for 2nd Reading of Finance Bill on 25 May 1925.

ff 42-60 MSS and Typed notes on Official paper and envelopes 6 august 1925 - White Paper on Coal Subsidy.

ff 62 MSS notes on Official Envelopes. Notes on Appropriation Bill (Gold Standard) August 6 1925.

9/72B

ff 68-77 Typed Speech format and MSS on Ireland (confirmation of Agreement) Bill 8 December 1925.

ff 79-82 Typed notes (incomplete) on Ireland.

ff 83-114 Typed Speech Safeguarding (Customs Duties) Bill 9 December 1925.

ff 115-130 MSS notes for above.

ff 132-148 Typed copy of speech on Coal Supplementary 10 December 1925.

ff 149-165 MSS notes for above.

9/73

ff 2-4 Letters and printed speech (on leaflet) of speech made at the unveiling of the Royal Naval Division Memorial April 25 1925.

ff 6-15 Typed speech format. Record of Government in Party Political context for address at the Primrose League, Albert Hall May 1 1925.

ff 17-28 Press Cutting and MSS notes on Financial bit. These and following are notes for speeches made in Constituency October 19-22 1925.

ff 37-46 Typed notes with MSS amendments on Financial matters Gold Standard Subsidies etc followed by more MSS notes.

ff 47-50 Typed speech "no excuse for wave of machine-made pessimism in which large numbers of people are wallowing". Every opposition always takes the darkest view of natural fortunes. "They always feel the country will be ruined unless they save it... I have felt that way myself": State of Coal industry in UK and world wide.

ff 52-53 On Official notepaper. MSS notes on Housing.

ff 55-56 Press Cutting on speech at Engineers Club Dinner, Savoy Hotel October 23 1925.

ff 58-71 Typed notes on Socialism written in Paris en route for Florence ?October 1925.

9/73 (Contd)

ff 73- Typed speech format for speech at Hippodrome Sheffield November 3 1925 on Coal Mines, miners, and gold standards.

ff 82 MSS notes for speech at Edinburgh on Socialist Government November 13 1925.

ff 85 Press Cutting speech at Battersea Town Hall December 11 1925.

ff 86 MSS notes on Treasury Notepaper: headings include Pensions Budget, Gold Standard. Probably speech made at Tunbidge Wells November 28, 1925.

ff 90-100 MSS notes for speech at Lobby Journalists Luncheon, December 15, 1925.

9/24

ff 2-8 MSS notes Treasury notepaper and envelopes. Financial situation. Road Fund in House of Commons 17 February 1926,

ff 9-10 Government's position on grants to Civil Service for sport facilities in House of Commons.

ff 12-18 Pensions for services with the Colonies and Civil Service.

ff 20-24 Official note paper and Envelopes. MSS notes on Second Reading of Ulster Insurance Bill 9 and 10 March 1926.

ff 26-67 Mixture of MSS and typed notes and speech format on matters connected with Second Reading of Economy Bill March 16 1926 (a great deal on Pensions of all kinds).

ff 68-131 Typed copy of Speech on March 16 (as above) in House of Commons.

ff 133-146 notes on official envelopes and paper plus typed paragraphs of quotes from other sources for debate on Inter-allied Debates on March 25 1926.

9/75A

ffs 1-19 MSS notes some on official Envelopes on Coal situation April 3 1926. Press Cutting.

ff 21-39 MSS notes some on official paper and envelopes for 3rd Reading of Economy Bill in House of Commons 22.4.26.

ff 41 Press Cutting on Budget.

9/75A (Contd)

ff 42-94 Typed notes speech format for Budget.

9/75B

ff 96 Printed speech Extracted from Official Report of the Parliamentary Debates.W S C's speech on making the Financial Statement 26 April 1926. (Copy marked Miss Fisher in pencil top right hand corner.)

ff 98-126 MSS and typed notes mixture of plain and official notepaper and on Official envelopes. Budget Reply April 29 1926.

ff 128-152 On official envelopes MSS notes for Second Reading of Finance Bill in House of Commons May 19, 1926.

9/76

ffs 2-10 MSS on official envelopes on Coal Trade Dispute. July 2 1926.

ff 11-21 Typed copy of speech on Coal Dispute.

ff 23-39 Typed speech/headline format. Finance Bill: Betting Tax July 15 1926.

ff 40-42 MSS on official envelopes General Finance notes.

ff 44-46 MSS notes on official envelopes on Inter Allied Debts and Treasury Vote July 29, 1926.

ff 48-62 Typed speech format and MSS notes on Coal. House of Commons August 31, 1926.

ff 64-78 Typed Speech Format and MSS on official envelopes on Coal. House of Commons September 27, 1926.

ff 79-98 Typed Copy of speech on Coal.

ff 100-125 MSS typed speech format on plain and official notepaper and on official envelopes on Vote of Censure on coal. House of commons December 8 1926.

9/77A

ff 2-3 Typed "notes" for Chancellor of the Exchequer proposing toast Dominion of Canada at Wolfe Dinner at Westerham.

ff 5-20 MSS notes and typed speech heading/format with MSS amendments for Chamber of Commerce Leeds January 20 1926 on Economy.

9/77A (Contd)

ff 21 Press Cutting on speech at Leeds.

ff 22-46 Typed copy of notes for Leeds which is probably final draft.

ff 48 Press cutting on Speech at Bolton to Bolton Conservative Association January 21 1926.

ff 49-50 MSS notes. Record of Government Trade, Pensions, Housing.

ff 52 Press Cutting. Junior Imperial and constitutional League at Buckhurst Hall Hull February 15, 1926.

ff 54 Press cutting on speech at Second Annual Dinner of the Aldenbrook Branch of the West Essex Unionist Association February 18, 1926. Party Political and History and Success of Branch - main topics.

ff 56-59 Typed speech made at Belfast Chamber of Commerce Luncheon, Belfast March 2 1926 on his stance over the years on the Irish Question and on Irish Economy and UK in general.

ff 60-63 Belfast Chamber of Commerce Journal. Issue containing report of W S C's address.

ff 64-65 Press Cuttings on Belfast Speech and the rest of his visit to Ulster (Doctor of Law at Belfast University).

ff 66-81 MSS notes on speech at Belfast. Justification of Ulster Unemployment and Reinsurance Bill. Labour Housing.

9/77B

ff 82-87 On official notepaper MSS on Economy.

ff 89-92 Press Cuttings: Speech made at Ulster Reform Club March 2 1926. Government record and Party Politics: Future of Unionist Party as barrier against socialism etc.

ff 94-95 Press cuttings (speech on same lines as above) Cambridge University Conservative Association.

ff 96 Press Cutting on Delegation from FBI visit to Chancellor on Tax Burden on Industry March 12, 1926.

9/77B (Contd)

ff 99 Press Cutting speech to Allied Brewery Traders' Association. March 15, 1926 on taxes on spirits, beers etc.

ff 101 Press Cutting. Address to Essex Women Unionists' conference March 17, 1926. United Government: League of Nations.

ff 103 Press Cutting. Prince of Wales speech on Mutual help and Value of Parliaments. International Parliament Commercial Conference and Mr Churchill on "Parliaments".

ff 105-126 Typed speech/headline with MSS amendments and MSS notes for speech at Alexandra Park July 19, 1926 on Economy etc at Conservative Rete.

ff 127-129 Press cutting on speech at Fete.

ff 130-167 Typed copy of Speech (Trade Economy).

9/78

ff 1-3 Printed Report on Lord Mayor's Banquet to the Bankers and Merchants of the City of London on July 14 1926.

ff 4 Press Cutting on Churchill's speech at above "The Public Purse".

ff 5-12 Extract from Speech. Typed on allied War Debts.

ff 14-41 Typed Speech format with some MSS sheets: speech given as Chancellor at Eisteddfod Pavilion Swansea August 18 1926.

ff 42-45 Press Cutting on Speech above. Highlights Coal Stoppage and Trade Union Legislation.

ff 46-75 Typed Text of Mr Churchill's Speech at Swansea August 18 1926.

ff 77-79 Two Press Cuttings. Speech at Westerham on Coal situation.

ff 80-84 Typed and MSS notes on Industrial Situation, Strikes and coal.

ff 86-87 MSS notes for Speech to Canada Club October 18 1926. Imperial Conferences.

9/78 (Contd)

ff 89-90 Five Press Cuttings. Speech to National Farmers' Union at Annual Dinner, London.

ff 91-99 MSS na typed notes and extracts for above.

ff 100-102 Typed Speech format and MSS notes for Dinner Speech to Institute of Actuaries October 21 1926.

ffs 104-115 MSS notes 104-108 and Press Cuttings for speeches made in Constituency October 28 to November 1 1926. Party Political in intent.

ff 116-132 Draft in case Chancellor has to address the Imperial Conference: notes from Treasury on central points.

9/79

ffs 2-3 MSS notes Official Envelopes. Debate on address February 9 1927.

ff 5 Printed extract from Official Report on Parliamentary Debates of speech by Rt Hon Winston Churchill making Financial Statement (marked Miss Fisher top right hand corner in pencil with C of E's compliments).

ff 6 Press cutting on Budget.

ff 7-71 Typed speech format minor MSS amendments for Budget speech 1927 April 11, 1927.

ff 73-75 Typed heading, notes.

ff 76-92 On Official notepaper and envelopes MSS notes on Budget Resolutions April 13 1927.

ffs 94-95 MSS notes on official envelopes on Trade Disputes and Trade Union Bill May 30 1927.

ff 97-108 Typed and MSS notes on plain paper and official envelopes for 3rd Reading of Trade Unions Bill June 23 1927.

ff 109-111 Letter from .... -Lawrence on questions he proposes to raise on Treasury Vote.

ff 113-118 MSS note on plain paper on official envelopes on Finance Bill Committee July 4 1927.

9/79 (Contd)

ff 12 On official envelopes and paper MSS notes on Finance Bill Committee July 5 1927.

9/80

ff 2 Booklet by John Clarence Webster on Wolfe Bi-Centenary Celebration in London January 3 1927 with W S C proposing the toast "The Dominion of Canada". No official comment.

ff 4 Press Cutting of speech at Chamber of Commerce, Oldham February 3 1927 on Economy and Trade.

ff 6 Press Cutting on speech by W C S on Trade Unions and new laws at Free Trade Hall, Manchester February 4 1927.

ff 7-27 MSS notes with amendments in red of speech above.

ff 28-34 Printed non Government material.

ff 35-38 Typed note on Industry in various areas of North and West England. No indication of source.

ff 40-41 On official envelopes MSS notes for speech to Constitutional Club Luncheon, Manchester February 4 1927 on Times Government - mixture - no particular theme described but see below.

ff 42 Press Cutting on above speech. Mr Churchill on "National Recovery" Britain paying its way. No adventures in China.

ffs 44-45 MSS notes for speech at Palace Theatre, Burnley February 5 1927 on socialism.

ff 47 Press Cuttings. Capt Wedgwood Benn and Labour.

ff 48 Press Cutting: Brilliant and convincing address by W S C warning of dangers of smashing the constitution during address to Unionist Party Burnley on February 8 1927 on Post War Political situation.

ff 49 Press Cutting: Chancellor's attack on socialism. Defection of Mr Wedgwood Benn. appeal for United Front against Reckless and Subversive Movements.

9/80
(Contd)

ff 52 Press Cutting on speech on Trade Union Legislation and China at Buckhurst Hill February 116 1927.

ff 54 Press Cutting. British Policy on China at Aldersbrook Dinner March 25, 1927.

ff 56 Press Cutting: Royal Academy Banquet Art and Politics.

ff 57-61 MSS notes for speech at Royal Academy Banquet.

ff 63-72 Typed copy of address at the Annual Demonstration of the Primrose League with MSS amendments in red: British Empire and Liberty versus Socialism.

ff 73 Press Cutting.

ff 75-82 Typed notes of Mr churchill's speech at Albert Hall. Demonstration of Primrose League.

ff 83-88 MSS notes on Trade Unions but incomplete and no.....

9/81

ff 2 Press Cutting: chancellor's speech on Country's Financial and Economic strength at British Banker's Association, Merchant Taylor's Hall, City of London May 11, 1927.

ff 3-10 Typed straight notes for draft speech on Budget.

ff 12-22 Typed Draft speech on Economy and Coal at Mansion House Banquet to Bankers and Merchants July 12 1927.

ff 23-34 Copy of above.

ff 35-41 Another copy of ff 12-22.

ff 42-44 Magazine cuttings on Lord Mayor's Banquet.

ff 46- Press Cutting: Mr churchill on Relations with Russia and UK Finance.

ff 48-74 MSS notes for speech at Bickton Park, Hamilton Devon July 23, 1927. Finance Gen Affairs eg. Management of Farms: Laws and Punishment: Agriculture Credits Scheme.

ffs 75-77 Press Cutting on above.

9/81 (Contd)

ff 79 Press Cutting on Speech at Hazelmere.

ff 80-86 Typed Draft of the part of WSC's speech which deals with the Geneva Conference at Hazelmere August 6 1927.

ff 88-93 Copy of ffs 81-86.

ff 95 Press Cutting: chancellor's optimism speech at Floors Castle, Kelso September 3, 1927.

ff 97-98 Typed speech format with MSS amendments in red of speech made at Ulverston September 12 1927. General Affairs and touches on Industry and ... Act.

ff 100-101 Press Cuttings on above.

ff 102-121 Typed copy of speech at Ulverston Political Parties: need for unity: State of Societies: Labour - Socialist leaders. Party Political issues and opposition opinions on Government policy.

9/82A

ff 2 Press Cutting. Economic Fact: basis of speech at Nottingham October 21, 1927.

ffs 4-7 MSS notes on economic problem.

ffs 8-27 Typed speech format with MSS amendments on Liberals and Socialists Pension and Insurance Schemes.

ff 28- Press Cutting on Mr Snowden's views on need for saving.

ff 29-31 MSS notes on official notepaper on Labour and strikes.

ffs 33-43 Press Cuttings on Epping Campaign speeches October 24-31, 1927.

ff 44 Minute to Chancellor by E March giving quotation from Budget speech.

ff 45 Extract from Gladstone's letter to Lord Morley, Christmas Day 1886.

ff 46-75 Typed copy of speech made at Chingford October 24 1927: Position of Government after 3 years in power: Economy.

9/82A (Contd)

ff 76-96 Typed copy of speech made at the memorial Hall South Woodford on October 27, 1927. General Affairs Economy, Government record etc.

ff 97-103 Typed copy of speech at Woodford Bridge October 31 1927 on same lines: (Let the Socialists howl as they did here tonight).

ff 104-112 Typed copy of speech at Grove Hall, Wanstead on 31 October 1927.

ff 114 Press Cutting on speech at Constitutional Club Luncheon November 10, 1927.. Next Election Budget: Labour Troubles.

ff 116 Press Cutting on Principles and application of socialism between W S C and Mr MacDonald.

ff 117 The Handwick Society Leaflet.

ff 118-123 MSS Notes: reflections on Capitalism and Socialism and Distribution of Wealth.

ff 132-135 Typed Remarks in two columns comparisons and "reasoned" argument on capitalist state issues versus capitalism.

ff 137-147 Statement to Italian Press and notes of answered questions.

ff 148-152 Miscellaneous official ephemeral notes.

ff 153-155 Mr Churchill's reply to Mr Lloyd George on matters of Trade.

9/83A

ffs 2-4 MSS on official envelopes: Reply to Lloyd George on Trade etc on Liberal Amendment to Address February 14 1928.

ff 15-16 Typed speech format with MSS Amendments in Red on Economy, Budget, National Exchequer.

ff 17 Treasury Folder which contained material asked for by Chancellor on Totalisator Bill.

ff 18 Racecourse Betting Bill.

9/83A (Contd)

ff 19 4 pages Memorandum on the Racecourse Betting Bill by the Stewards of the Jockey Club and Stewards of National Hunt Committee.

ff 20-30 Typed Brief by Customs and Excise on Race Course Betting bill dated Customs House London EC 3 14th March 1928 with MSS amendments in red.

ff 31-35 Typed Draft (Carbon copy) speech on Betting ?incomplete.

ff 36-46 Copy of ffs 20-30.

ff 48 Magazine article on Race Course Tax.

ffs 49-52 MSS notes on official envelopes on dog and horse racing.

ff 53-57 Copy of ffs 31-35. (Top Copy)

ff 58 Notice of Motion of Second Reading of Edinburgh Corporation Bill.

ff 59-68 Extracts from magazine of The Bloodshed Breeders Review.

ff 69 Press Cutting: Labour Party's view on Totalisator.

ff 71-72 On official envelopes MSS notes on Daylight Saving and Betting Tax.

ff 73 and 74 Press Cutting on The "Tote" Two Letters to the Times by J Ramsay MacDonald on Betting Tax.

77-81 Press Cuttings.

ff 82-101 Extract from magazine of the Bloodshed Breeders Review: Discussions on Betting Tax.

9/83B

ff 102-104 Typed notes on The Totalisator speech giving advantages: Comparison with countries in Europe.

ff 105 Press Cutting: Backing by Dean of Durham.

ffs 107-110 Miscellaneous papers and press cuttings.

9/83B (Contd)

ff 112-194 Typed Headings and notes and then speech format interspersed with amendments in MSS and MSS notes on Budget speech April 24 1928.

ff 195 Printed Leaflet "extracted from Official Report of Parliamentary Debates". Speech by W S C Financial ...

ff 196-197 Press Cuttings on Budget.

9/84

ff 2-22 Official Paper. Typed Draft Reply to Mr Lloyd George about Budget Statement: House of Commons ? April 28 1928.

ff 24-27 Extract from Hansard on Duty on Kerosene.

ff 28-31 On Treasury notepaper MSS for General statement on Budget policy.

ff 33 Press Cutting on Chancellor's reply to Budget criticism.

ff 34-55 On official notepaper in MSS and a few typed sheets: Notes and Headings for use at Second Reading of Finance Bill June 5, 1928.

ff 56-73 Hansard Extract June 5, 1928.

ff 75-84 MSS notes for speech about Prayer Book Measure House of Commons June 14 1928.

ff 85 Press Cutting on speech on Prayer Book.

ff 86-94 On Treasury notepaper but marked "never sent" a letter dated June 4, 1928 about the Prayer Book Vote and his duties as an MP. Letter is addressed Dear Sir but there is no obvious indication of the addressee.

ff 96-97 MSS notes on official envelopes on unemployment issues.

ff 98-100 Typed notes with MSS amendments: Gold standards Trade Methods of Practical advance. Fiscal system.

ff 104qNo source. Extract from Printed Paper - Coal Industry.

ff 105-106 MSS note (not W S C) on Freight charges.

9/84 (Contd)

ff 110 Press Cutting from "The Times" on Mr Churchill's Reply with Government Proposals.

ff 111-136 Typed notes MSS amendments Revenues.

9/85

ffs 3-32 Mixture typed headlines speech format with MSS amendments with MSS notes for speech at Birmingham Town Hall February 3 1928. Franchise Bill, Housing, Budget, Betting taxes etc.

ff 33 Press Cutting. \headed Liberal Party an defence. The Income Tax for speech above.

35-37 On official notepaper MSS notes on Civil Service Dinner February 10, 1928.

ff 40-47 MSS notes and Headings mainly on Liberal policies and affairs given to Oxford Union March 1, 1928.

ff 48 Press Cutting on Oxford Union Debate.

ff 50-51 Correspondence on obtaining from Board of Trade notes on Trade between Agriculture and UK.

ff 52-59 BOT memo on Agriculture Trade with UK for Chancellor's speech at Dinner to Dr Uniburu by Anglo-Argentine Society at May Fair Hotel March 6, 1928.

ff 60 Press Cutting on Argentina's Commercial Prosperity.

ff 61 Note on Sir Joseph Durveen's British Art Exhibition to be held at Buenos Aires soon.

ff 62-67 Leaflet: British Artists Exhibition and Press Cuttings reprinted and other miscellaneous matter.

ff 68-71 MSS notes (not W S C's) on wonderful Argentine" no source.

ff 73 Press Cutting reporting presence of three Cabinet Ministers at Conference of Essex Women Conservatives.

9/85 (Contd)

ff 74 Programme of Presentation of bust of Late Sir Phillip Watts KCB to the Institution of Naval Architects by Rt Hon Winston Churchill, Chancellor of the Exchequer March 29, 1928.

ff 75 Press Cutting on speech at Newcastle on Peace in Industry; Local Government Reform April 28, 1928.

ffs 79-105 MSS notes for speech at Newcastle.

ff 106 Press cutting on Newcastle speech.

9/86

ff 2 Press Cutting on speech on Rate Relief etc at a Conservative demonstration in Hale Park Wednesday June 23 1928 (Also n=used at Epping October 1928)

ff 3-13 MSS notes for Wednesday. Labour: Trade Union Bill Rating etc.

ff 14 Press Cutting: Benefit of Rate Relief Scheme.

ff 17 Press Cutting. New Rating System speech at Conservative Rally at Himley Park, Dudley July 7 1928.

ff 20 Press Cutting on speech at Dinner to the Chancellor of the Exchequer, the Court and Director of Bank of England, Bankers and Merchants of the City at Mansion House July 19, 1928.

ff 21-25 MSS brief Headings for speech at Mansion House.

ff 27 Press Cutting. Report on Mr Churchill's Visit to Somerset.

ff 28-31 Miscellaneous unconnected papers.

ff 34- Typed heading and notes in speech format on Liberal policies, Taxation, Rates etc etc for speech at Taunton, Somerset on July 28 1928.

ff 40-41 Press Cutting Mr Churchill hits back with Caustic reply to Lloyd George on Government's great achievement at Cheltenham Town Hall September 24 1928.

ff 43 Press Cutting Position of Essex under Rating Reform Scheme.

9/86 (Contd)

ff 44-61 Typed Speech Reunion in Europe. Rates for Essex: Royal Forest Hotel, Chingford October 22 1928.

ff 62-76 Typed speech format of above speech.

ff 78-79 Press Cutting: conclusion of Mr Churchill's Autumn Campaign with meetings at Woodford and Wanstead.

ff 80-81 Typed headings for speech at South Woodford October 31 1928. Revenue, Rating, Unemployment in basic industries, Russia etc.

Typed straight extract of speech at Aldershot October 25 1928. Zoo Parable extract from ff 44-61.

ff 85-88 Rough MSS notes for speeches made in Constituency.

ff 90-92 Correspondence with Remembrancer's Office, Guildhall on programme of Banquet on 9th November 1928 when Mr Churchill will propose the toast to "Their Excellencies the Foreign Ambassadors and Ministers".

ff 93-95 Brief supplied by Foreign Office for speech at Guildhall. No political or Government context.

ff 97-110 Two sets of MSS notes on Science and Humanity. Is medicine an art of a science. first set on Christ Church Oxford note paper. Second set no source, but for a speech to be given at Royal Society of Medicine, Mayfair Hotel November 15 1928.

ff 111 Press Cutting: Dinner of the National Trust: W S C speaks on the Trust's work.

9/87

ff 2 Printed leaflet of Extracts from Official Report of Parliamentary Debates. Winston Churchill on making the Financial Statement April 15 1929.

ff 3/92 Typed speech format: few MSS notes. Budget Speech.

ff 93 Copy of Hansard for 19 December 1929.

9/87 (Contd)

ff 95-119 Typed speech format. Egypt and London December 23 1929.

9/88A

ff 2 Press Cutting: W S C on British Trade in Manchester.

ff 3-16 Typed Paragraphs on "Notes for Manchester" a serious stress of British Productive Industry and how Government is aiding Industry in three ways.

ff 18-22 MSS notes for speech at Battersea February 6, 1929 General. Liberal Party and Lloyd George.

ff 23-25 Election Leaflets - Labour and Liberal Candidates.

ff 26 Press Cutting on address given at Battersea Town Hall.

ff 28-47 MSS notes followed by typed heading and speech format mixed on official note paper for speech at Anti-Socialist Union Meeting Queen's Hall February 12 1929.

ff 48-68 Typed copy: General Election Speech with MSS amendments.

ff 70-73 Typed quotations on Family Fatherland and Humanity for speech at Worcestershire Association Dinner February 26 1929.

ff 74 Press cutting on above.

ff 76-77 Typed speech format MSS amendments Election content.

ff 79-114 Typed speech format MSS amendments. Election material for speech at Edinburgh May 7 1929.

ff 116-138 Typed speech format for Glasgow on May 8 1929. Mainly Party Political.

ff 140-153 Notes on Mr Churchill's Broadcast speech May? 19? 1929.

9/88B

ff 156-172 Typed speech format: Socialist Policies Part of miscellaneous speech notes for Election.

ff 174-199 Typed and MSS notes on General Issues and Policy in Election Campaign: Various hands have made MSS notes and amendments.

ff 200-201 Extract from Mr Runaman's speech: Second Reading Trade Facilities Bill March 2 1926.

ff 102-203 Press Paragraphs.

ff 204-216 Typed Extracts from Ramsay MacDonald's speech at Battersea: Political Election Leaflets, Press Cuttings Extracts from Hansard etc etc.

ff 217-227 Typed speech format marked "Put by" Chingford Election.

ff 229-234 Typed speech format and MSS notes for speech at Bristol University 1929.

ff 235-237 Typed speech with note "This is either to Oxford or Cambridge Union Student - I can's remember which VP". Odd speeches 1929!

ff 239-244 MSS notes for speech "given apparently in America 1929".

ff 245-254 Typed copy of speech in USA.

ff 255-259 Letter from Lithwaitte Admiralty to W S C sending extract from Confidential Admiralty Document on Submarines 1914-18 and extract from "The World Crisis" 1911-1914.

ff 261-296 MSS notes for speeches on Canadian Tour occasional typed speech format entries.

2/89

ff 2 Press Cutting: Vote of thanks to Chancellor by Mrs Geoffrey Peto.

ff 3 Letter from Mrs Peto.

ffs 4-45 Typed and MSS notes on official and plain paper - not all of W S C - Typed extract from Press Reports, Press Cuttings etc etc.

Miscellaneous notes showing no province or use.

9/90-9/134

Covers years when W S C was not in office.

9/135A

ff 1-19 MSS and typed speech format intermingled for a speech on conscription which was not used but prepared for 8 May 1939.

ff 21-36 MSS notes on International Situation House of Commons 19 May 1939.

ff 38-45 Typed copy of speech with MSS amendments.

ff 46-69 Typed speech format for Palestine Debate 23 May 1939.

ff 71-82 Typed speech format. House of Commons 2 August 1939 on consequences of Summer adjournment of Parliament at this time.

ff 83-94 Copy of ffs 71-82.

ff 95-105 Typed speech with minor amendments and red underlining.

ff 106-112 Columns of Hansard reporting speech.

ff 114-117 MSS draft for speech in House of Commons (not clear whether this was used).

ff 118-122 MSS notes and typed speech format for Debate on House of Commons sunday 3 September 1939.

ff 120-121 Two pages at ffs 123-124 below.

9/135A (Contd)

ff 122-124 Typed speech format of a speech on Efforts for peace and House of Commons relinquishing liberties to Ministers.

ff 125-126 Typed straight copy of 125-126

ff 127-128 Copy of ffs 125-126.

ff 129-140 Typed speech with minor MSS amendments for use in House of Commons on Outbreak of War situation.

9/135B

ff 142-156 Typed speech format House of Commons 26 September 1939 on War at Sea - U Boat Warfare.

ff 158-172 Copy of ffs 142-156.

ff 173-185 Typed copy of speech with minor MSS pencilled amendments.

ff 187-203 Typed speech format for speech in House of Commons 8 November 1939. Loss of HMS "Royal Oak" at ~~Sea~~ Scapa Flow: Convoy system : French Navy: U Boat Warfare.

ff 204-220 Copy of ffs 187-203.

ff 221-237 Typed copy of speech with minor pencilled amendments (ie straight copy of ffs 187-203).

ff 238-244 Columns of Hansard of above speech.

ff 246-264 Typed speech format for house of Commons on 6 December 1939 on progress of War at Sea: Review of first 3 months.

ff 265-272 Columns of Hansard report on above.

ff 274-275 Press Cutting on Speech of 6/12/39.