

Summary of evidence presented to the 30-Year Rule Review Committee, 5 February 2008 at Church House, Westminster

Committee members present:

Paul Dacre (chair)
Professor David Cannadine
Sir Joseph Pilling

Evidence from Tony Benn

Mr Benn said that “information is the lifeblood of democracy” and the “secret of government power.” He likened the 30-year rule to the 1401 Heresy Act, which made it an offence for a layperson to read the bible. He thought that good governance was based on trust between ministers and officials and between government and people. Secrecy destroys the trust between government and people.

“What is damaging is leaks and lies and malice and rumour, but I don’t believe the truth ever harms.” He said that open government helps ministers make decisions because they can discuss and receive advice from outside the civil service. He added: “secrecy locks ministers in with their officials but on the whole secrecy is convenient to civil servants who don’t want people to know how much power they have, and ministers don’t want the public to know how little power they have.”

“We all live in a democracy where people are entitled to know what is being decided in our name and why, and so long as it’s the facts that come out, then rumours and gossip and malice don’t really matter very much.”

During his 11 years as a Cabinet Minister Mr Benn said that he wondered how many of the secrets of that period were actually secrets. He added that he thought defence matters and personal information should be secret but saw benefit in cabinet discussions becoming public, for instance on issues such as the Lisbon Treaty. He thought that such disclosures would increase trust between government and the public. “I think the unanimity of the government for political reasons is destructive of trust.”

Professor Cannadine asked if Mr Benn favoured no rule, to which Mr Benn said that in the USA they have the “30-second rule” – as soon as it happens it becomes public. He felt that the Americans were better at letting people know what is happening. As a Minister he had also argued for the Council of Ministers in the European Union to stop making its laws in secret.

Asked about the resource implications of reducing the 30-year rule, Mr Benn said that he did not think that was a valid argument and that it would be an investment in public confidence in government.

He was then asked whether, if Cabinet disagreements became public in real time, that would undermine collective responsibility? Mr Benn said that he did

not think such disclosures would cause any harm. "I cannot think of a single Cabinet I attended (other than the ones discussing devaluation and the budget) where if it had come out that day, it would have done any harm whatever."

Sir Joseph Pilling asked whether by revealing our negotiating tactics, including bottom lines, that might undermine future relations, as parties involved in the negotiation might feel they should have pressed harder. Mr Benn said that was "life", and what democracy was about. "What good is it to the public to think that the government is unanimous when they know perfectly well they are not unanimous? If people knew their view was put forward, they could watch the progress of it...what is secret, really, other than the convenience of Ministers...is that in the public interest? I don't honestly think it is."

He was asked if the quality of advice from the civil service would be compromised if that advice was revealed. Mr Benn said that he did not want to be "locked up with the civil service" and thought there was merit in receiving advice from outside the civil service.

Professor Cannadine said some might find Mr Benn's proposals of drawing on advice from a wider circle than the civil service, and releasing cabinet disagreements the next day, anarchic. Mr Benn said that: "My view is that people would be more likely to trust governments that a) listen to them i.e. let different points of view permeate to the top; and b) tell them the truth. It is never true to say that any government, to my knowledge, is unanimous on anything."

Asked by the chair if his proposals would be an inducement to sofa government, with politicians very reluctant to have their discussions recorded, Mr Benn said that if we had been made aware of Cabinet discussions in March 2003 then we might not have gone to war. "I cannot think of any conversation I had with anybody that I wouldn't have been quite happy to have had publicly. They might be embarrassed by it but embarrassment is not the same as damaging to good government."

"On the principle that you say what you mean and you mean what you say, don't attack people personally, and say the same in Cabinet and Parliament, in public, on the whole people are more likely to trust you."