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2 1976

HONOURS IN CONFIDENCE

See Memo to C. G. S. B.

DRAFT LETTER FROM LORD SHACKLETON, ON BEHALF OF
THE POLITICAL HONOURS SCRUTINY COMMITTEE, TO
THE PRIME MINISTER.

There has been placed before ^{us} a recommendation
that Mr Cyril Smith should be made a Knight,
for his political services.

2. We draw your attention to the risk that
such an award could give rise to adverse
criticism.

3. In 1970 Mr Smith was the subject of an
investigation by the Lancashire Constabulary
in connection with allegations of indecent
assault against teenage boys. The allegations
related to a period now more than twenty years
ago, from 1961 to 1966, when Mr Smith was on
the Rochdale Town Council and acted as
Secretary to a committee administering a hostel
for boys. Mr Smith denied the allegations.
We understand that the Director of Public
Prosecutions, to whom the Lancashire Constabulary
sent their papers, advised against prosecution
on the grounds that there was no reasonable
prospect of conviction.

/4. But in

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4. But in 1971 there was comment in the Rochdale Alternative Press and Private Eye. Copies are attached. One may regret this kind of press reporting, but it could be revived if an award to Mr Smith were made. Moreover, in 1982, following a break-in at the offices of The Sun, police enquiries revealed that the editor of The Sun had a copy of the 1970 Police Report. Other newspapers may possess it. One can only speculate whether any editor of a national newspaper will be prepared to publish reports of the allegations.

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5. We consider that Mr Smith would be slightly unfortunate if this episode were to stand in the way of an award, and we would not wish to make a positive adverse report if, after considering what I have said, you yourself were minded to proceed. But we have felt it right to warn you of our fear that the integrity of the honours system would be at some risk if the award were to be made and announced.

6. If you decide to proceed, we will sign a Certificate. If you decide not to proceed we would have no objection if you wished that a communication should be made on your behalf to Mr Steel.

From: MRS M E HEDLEY-MILLER

11 May 1988

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MR N WICKS

You are aware that the Political Honours Scrutiny Committee has considered carefully the name of Mr Cyril Smith proposed for honour, for his political services, in the Birthday Honours List 1988. The Committee have asked me to write to you about him.

... 2. The Committee have seen articles in Private Eye and the Rochdale Alternative Press, copies of which I enclose, about alleged offences in the early 1960's, and a police enquiry in 1970.

3. But they dislike the risk of doing injustice on the basis of press reporting from such sources. They have noted Mr Smith was made an MBE in 1966, when an Alderman, for his political and public services in Rochdale: and that he subsequently became Mayor. He also became a Member of Parliament in 1972 after the police enquiries.

4. They have noted also that it was decided not to prosecute Mr Smith. Had there been a prosecution and an acquittal, it is reasonable to suppose that the Committee would not have wished to stand in the way of honour. The Committee feels that the benefit of the doubt should the more readily be given where there was no prosecution.

... 5. The Committee have accordingly signed the Certificate attached, and are content for the final decision to be taken by the Prime Minister herself.

Mrs M E Hedley-Miller

MRS M E HEDLEY-MILLER

(Secretary of the PHSC)

HONOURS IN CONFIDENCE

House of Lords

11 May 1988

The Rt Honble
Margaret Thatcher MP

Dear Prime Minister

We have considered, in accordance with the terms of our reference, the particulars of Mr Cyril Smith, whom you propose to recommend to Her Majesty for an honour on account of political services in the Birthday Honours List, 1988.

2. You will be aware that we have had some hesitation about this award. But we now have the honour to report that, so far as we believe and have been able to ascertain, his past history or general character does not, in all the circumstances, render him unsuitable to be honoured.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Lord Hailsham', written in a cursive style.

*This letter was discussed with Lord Hailsham,
who is now out of the country, but had*

"You can't harm me. My best friend is the Director of Public Prosecutions."

(traditional)

There is not an important newspaper or TV station in the land which has not received a copy of the May issue of the *Rochdale Alternative Paper (RAP)*, one of the few community newspapers to have flourished in recent years. The centre page article, entitled 'Strange Case', describes some unusual behaviour on the part of Cyril Smith, Rochdale's newly-returned Liberal MP. The allegations are substantiated by a number of sworn statements and carefully recorded interviews, but they have so far not been published anywhere else. Nor has any writ for libel yet been issued by C. Smith.

The article refers to the Cambridge House Boys Hostel, which was opened by the Rochdale Hostel for Boys Association, of which Cyril Smith was secretary. Smith was then a prominent member of the Labour Party (he got the MBE on the recommendation of the town's Labour MP in 1966).

It publishes extracts from three men, all living in Rochdale and all then homeless apprentices who were staying in the hostel.

The first man says that he had missed a day off work, which was against the hostel rules. He was reported, and interviewed by Cyril Smith. His statement goes on:

"He gave me the choice between accepting his punishment or leaving the hostel. I said I would accept his punishment. ... He took me into the Quiet Room. He told me to take my trousers and pants down and he hit me four or five times with his bare hands on my bare buttocks."

The second man's statement says:

"Cyril Smith found that I had taken some money. He asked me if I would accept his punishment or be dealt with by the authorities. I said I would accept his punishment. He then told me to take off my trousers and pants and bend over his knee. He trapped my hands between his legs. He hit me many times with his bare hand, and I pleaded with him to stop because he was hurting me. This took place at the hostel. Afterwards, he came to my bedroom and wiped my bare buttocks with a sponge."

Another man says:

"After a few days I was given a kind of medical examination by Cyril Smith. He told me to take my trousers and pants down. He held my testicles and told me to cough."

The *RAP* editors say they have four other sworn statements from men who allege similar spankings or inspections.

The hostel closed in 1965, after the council decided not to increase their grant. But in 1970, a young man was interviewed at Risley Remand Centre. He told police about punishment he had received from Smith at the Rochdale hostel several years previously. A full-length police inquiry followed. Smith was interviewed and vigorously denied all the allegations put to him.

The police inquiry was completed, and a file prepared. What happened then is not clear. A DPP statement to *RAP* put it like this:

"The DPP cannot trace such a case being referred to us, but cannot confirm or deny receiving it."

This ambiguous statement was not helped very much by a telephone call to *RAP* from Sir Norman Skelhorn, then the DPP, who said he could not remember such a case. The police declined to comment.

Whether or not the file went to the DPP, it

was kept for some years at the police headquarters at Preston.

In March 1974, during discussions about the possible formation of a Con/Lib coalition after the general election of that month, the Special Branch copied the file and took it, with special security precautions, to London.

At the time of the police inquiry, Cyril Smith had just joined the Liberal Party and was expected to become Liberal candidate in a town with substantial Liberal traditions.

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DRAFT MINUTE FROM MRS HEDLEY-MILLER

TO THE PRIME MINISTER'S PRINCIPAL PRIVATE SECRETARY

You are aware that the Political Honours Scrutiny Committee has considered carefully the name of proposed for honour , for his political services, in the Birthday Honours List 1988. The Committee have asked me to write to you about him.

2. The Committee have seen articles in Private Eye and the Rochdale Alternative Press, copies of which I enclose, about alleged offences in the early 1960's, and a police enquiry in 1970.

3. But they dislike the risk of doing injustice on the basis of press reporting from such sources. They have noted Mr was made an MBE in 1966, when an Alderman, for his political and public services in Rochdale: and that he subsequently became Mayor. He also became a Member of Parliament in 1972 after the police enquiries.

4. They have noted also that it was decided not to prosecute Mr . Had there been a prosecution and an acquittal, it is reasonable to suppose that the Committee would not have wished to stand in the way of honour. The Committee feels that the benefit of the doubt should be more readily be given where there was no prosecution.

5. The Committee have accordingly signed the Certificate attached. They for their part do not wish to pronounce against the proposed honour, and are content for the Prime Minister herself to judge whether the political and public services rendered by Mr merits the award of a knighthood.

Alfred Jones early 1960's

To DHP 1970.

Mayes 66-67.

HP 1972

ABC 1966

You will be aware that we have had
certain hesitations about ^{this} ~~an~~ aspect of the
Letter. But we now have the honour to re-
late, so far as we believe and have been
able to ascertain ^{his} ~~the~~ past history & general
character does not, in all the circumstances,
render him unduly ~~the~~ ^{less} ~~honest~~ ^{honest}.

FERB. Office alleged detentions.

At-ignition :: Pipe type alloy.

Green. Engr at the time.

8 Gorr. 6 g when at the home

2 ret. ↑

late term

Similar alleg. - Cuts hole ways.

Robbery by Ch. Kauler denied.

Who let? he examined these cases on pretext of medical exam.

Also alleged Kauler stole the letters: disciplinary.

Reported a broken.

What were q? above graphic cover.

Offe also went into the woods. He said: Green & Gorr.

Will still be present.

Will be present. (to 1). John was still present.

From: MRS M E HEDLEY-MILLER

28 April 1988

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SIR ROBIN BUTLER

We spoke about Mr Cyril Smith, proposed for Knight Bachelor for his political services.

2. I attach copies of the relevant pieces from the Rochdale Alternative Press and Private Eye.

3. The PHSC might have taken the view that the fact that the Press might stir up adverse comment on the announcement of a K for Mr Smith was enough to justify what I might call a "Warning of risk" letter from them to the Prime Minister.

4. I have now consulted the Committee. They feel that
- if there is fire under this smoke, they would probably not wish to sign a certificate giving their go-ahead for a K.

- if it is all rather baseless, then "let the press do its worst", but the Prime Minister need not be prevented from giving an honour where this is due.

5. They would accordingly wish:

(i) to see the Lancashire police report to the DPP

(ii) to know what lay behind the DPP advice that there was

~~no reasonable prospect of conviction. Did they mean that~~

/Mr Smith was probably

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Mr Smith was probably innocent? Or merely that he probably was not innocent but that the evidence was nevertheless not such as to stand up in court?

6. So they would like further information, which I ~~would~~ have to invite you, please, to help me to obtain.

I am very ignorant about the ways of the Director of Public Prosecution, but I hope that a letter on the lines of the attached draft would be appropriate.

MHM

MRS M E HEDLEY-MILLER

*Lt Robert Butler wrote to DPP
4 May 1988 with DPP
Office, 1 copy only.*

*No copy here. He held a meeting on
1 was present. A record is in L R Butler's*

*As Green said that his papers were missing, though enough record had been kept,
including the DPP letter to the Hampshire Police. There had been 8 boys who made
allegations, 6 of whom were from the home. They made similar allegations: there could
conceivably have been collusion. As Smith made a blanket denial in a written
statement, and would not answer questions on specific cases.*

*He also sent all the material to the DPP found the evidence 'false' and
estimated. There were 8 boys (see above, etc. names of boys mentioned)*

beautiful that there should be a prosecution, but
 indeed actually obtained the habeas corpus
 alleged efforts were made, that there were no
 who were not of good character.
 Scotland - no evidence other than that of the boys, A
 may would be told by a Judge to look for corroboration. So no marriage
 prospect for prosecution
 Dr. John Butler asked what the AFPC would do if there

had been a prosecution and an acquittal. (and I thought they would give the benefit of the doubt. If Polini felt that then deemed apply a fiction there there had been no prosecution.

hard case - no photographs
I saw for Constable on
Spaulding. He furnished
of Larry before he went to
"no objective"

to deal with General in New Haven who had been
on 11 May.

Certificate & Secretary's name M. W. H. S. S. S.

Good explanation - at 10 AM water, 11 Aug.

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DRAFT LETTER FROM SIR ROBIN BUTLER

TO the DIRECTOR OF PUBLIC PROSECUTIONS

It has been proposed to the Prime Minister that Mr Cyril Smith MP should be recommended for the award of a knighthood for his political services.

2. My enquiries about Mr Smith reveal that your predecessor, in 1970, received papers from the Lancashire Constabulary in connection with allegations of indecent assault, between the years 1961-66, when Mr Smith was on the Rochdale County Council and acted as Secretary to a Committee administering a hostel for boys. The then Director, I understand, advised against a prosecution on the grounds that there was no reasonable prospect of conviction.

(P.H.)
3. The Political Honours Scrutiny Committee (a Committee of the Privy Council, whose present members are Lord Shackleton, Lord Grimond and Lord Pym) will need to take a view on this honours recommendation, and they say that they would be greatly helped, in preparing their advice to the Prime Minister, if they knew whether the case against Mr Smith was not well founded: or whether it was a sound case, but that the evidence was not likely to stand up in court.

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4. I wonder therefore whether you would be willing to tell me a little more about your predecessor's views? If you prefer not to write, Mrs Mary Hedley-Miller, the Ceremonial Officer and Secretary of the PHSC, who works for me, could perhaps come and see you for a brief discussion. The case for taking the exceptional step of writing to you in this way is to protect the Prime Minister (and The Queen), while also being fair to Mr Smith.

by the same C Smith & police force
alleged to demand for him.

Job gone.

Summary also of the statement (not verbal).

Boys put the hands together.

1 boy was probably seen by Smith. Similar to boys at the school.

V. difficult.

Was objection a technical one? Different issues.

One might V. well not now present. Role & abuse of
corrob'.

But if asked after summary, may be something in this.

Issue of corrob'. Eg admission by C. No evidence this
than that of the boys.

Look for corrob' - may find dangerous details in case and.

From the report on a case against Smith. Not able

Guarantee is under phone obligation.

about From the report : have been passed

delivered if no correspondence.

But the delivery has been proved in the past.

Denial is. It is possible of

equal result than acquittal.

(ie. no case (same))

There is the benefit of doubt if denied

at 1: possible

From the report on a case

Indicate the source of the information

Will there be sufficient support...

Not regarded as a...

for testimony

Present DPP has seen police report & letter.

Reference -

letter to police chief

is correct

complaints not of good character

so no reasonable prospect of a conviction.

Witnesses have disappeared.

Blue