CONCLUSIONS of a Meeting of the War Cabinet held in the Prime Minister's Room, House of Commons, S.W.1, on Tuesday, January 26, 1943, at 12.30 P.M.

Present:

The Right Hon. C. R. Attlee, M.P., Deputy Prime Minister (in the Chair).

The Right Hon. Anthony Eden, M.P., Secretary of State for Foreign Affairs.

The Right Hon. Ernest Bevin, M.P., Minister of Labour and National Service.


The following were also present:

The Right Hon. Viscount Cranborne, Lord Privy Seal.

The Right Hon. Sir Stafford Cripps, K.C., M.P., Minister of Aircraft Production.

The Right Hon. Sir Archibald Sinclair, Bt., M.P., Secretary of State for Air.

The Right Hon. James Stuart, M.P., Joint Parliamentary Secretary, Treasury.

Mr. C. J. Radcliffe, K.C., Director-General, Ministry of Information.

Secretaries:

Sir Edward Bridges.

Mr. Norman Brook.

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1. The War Cabinet considered various questions about the agreed communiqué in regard to this Conference, which was to be released on the following day, together with the Joint Declaration by General de Gaulle and General Giraud.

   The War Cabinet—

   Agreed that the text of these two documents should be read to both Houses of Parliament in Secret Session that afternoon, and also communicated by telegram to the Dominion Prime Ministers.

2. The War Cabinet were informed that, at the meeting of the Legislation Committee on the 19th January,* the Minister of Labour and National Service had accepted a suggestion, made on behalf of the Chancellor of the Exchequer, that Clause 4 (1) of the Catering Wages Bill should be so amended as to make it clear that the Catering Wages Commission would make such enquiries as they considered necessary before recommending to the Minister the appointment of a Wages Board.

   It was pointed out that the Trade Boards Acts—on which the procedure of the present Bill was modelled—included provisions for the holding of a public enquiry. The First Schedule to the Trade Boards Act, 1918, provided that, where the Minister did not amend or withdraw a draft Order to which objection had been made in the prescribed form, he should, before making the Order, unless he considered that the objection was of a frivolous character, direct a public enquiry to be held. It was suggested that, as the Minister of Labour proposed to claim that the Bill was modelled on Trade Boards legislation, he would be in a stronger position to resist criticism if the procedure under Clause 4 were more closely assimilated to that of the Trade Boards Act by including a similar provision for the holding of a public enquiry.

   It was suggested that such public enquiries would involve substantial delay, and that the work of the Catering Wages Commission would be impeded if those who were opposed to the regulation of wages and conditions in these trades were at liberty to demand a public enquiry on every occasion. This point could be met by leaving to the Minister a discretion to decide whether the Commission should be directed to hold a public enquiry in any particular case. Political pressure for a public enquiry would be best dealt with by the Minister, whose decision, if it were challenged on political grounds, could be defended in Parliament. On the other hand, it was pointed out that the decision whether or not a public enquiry should be held would not turn always on political issues; and there would be advantages in leaving this decision with the Commission, since there were good reasons for emphasising the Commission's independence of the Minister. The middle course might be to provide that the Commission might, and if so directed by the Minister should, hold a public enquiry.

   The War Cabinet—

   Invited the Minister of Labour and National Service to consider, in the light of the discussion, whether the procedure under Clause 4 of the Bill could not be assimilated more closely to that prescribed in the First Schedule to the Trade Boards Act, 1918, by adding some provision to secure in suitable cases the holding of a public enquiry by the Commission before making a Wages Board recommendation.

* H.P.C. (43) 2nd Meeting.