



MINISTRY OF DEFENCE
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MO 5/21

22nd November 1984

It looks to me as if the long delay of the MOD in considering Sethia's request (para. 4 of the note) helped his rabbit to escape. — Powell

It is questionable whether Messrs O'Keefe or Dalyell realised that the diary included classified material: this is a matter which no doubt Dear Robin, the DPP and the law officers will be considering. FERB

DIARY OF AN EX-OFFICER FROM HMS CONQUEROR

22.11.

Over the last few months a number of newspapers and a television programme have made public what appeared to be extracts from a diary kept by someone serving in HMS CONQUEROR during the Falklands Campaign. Some of these excerpts contained classified information.

It has now been established that there was indeed a diary and that it was kept by a Lieutenant N Sethia, who has now retired from the Royal Navy and is living in St Lucia in the West Indies. The probable route by which parts of his diary reached the pages of newspapers and were broadcast by BBC TV has also been identified. The attached aide memoire describes the relevant events as far as MOD inquiries have at present established.

In view of the prima facie evidence of one or more breaches of the Official Secrets Acts, Sir Clive Whitmore has referred the matter to the Director of Public Prosecutions who I understand will be consulting the Law Officers. The Defence Secretary thought the Prime Minister would wish to know where matters stand.

I am copying this letter and the attachment to Len Appleyard (FCO), Hugh Taylor (Home Office), Henry Steel (Attorney General's Chambers) and Richard Hatfield (Cabinet Office).

Yours etc,

Richard Mottram

(R C MOTTRAM)

Robin Butler Esq

DIARY OF AN EX-OFFICER FROM HMS CONQUEROR

The MOD first became aware that a member of the crew of the submarine HMS CONQUEROR during the Falklands Campaign might have kept a diary of events, when the Panorama programme on 16th April 1984 broadcast extracts from what they claimed to be such a diary. This was followed on 17th April by an article in the Guardian which published extracts from "a first hand account from a diarist aboard HMS CONQUEROR".

2. Publication of these extracts raised the possibility that material in the book "The Sinking of the Belgrano" by Desmond Rice and Arthur Gavshon (published on 5th March 1984) could also have come from a diary. It had previously been assumed that this material had been extracted during conversations with crew members of CONQUEROR.

3. Because of the security sensitivity of some of the diary extracts, in particular the references to the signals intelligence, the Director of Naval Security (DNSy) was asked on 22nd May to investigate the possibility of a diarist and his identity. Immediate suspicion fell on an officer in HMS CONQUEROR, Lieutenant N SETHIA RN (Rtd), who it was known had kept a diary and who had left the Royal Navy in August 1982 and gone to live in St Lucia where he is still resident. But on 14th June DNSy reported to the Vice Chief of the Naval Staff (VCNS) that investigations had demonstrated that SETHIA was unlikely to have been the unknown diarist quoted in the Guardian article. SETHIA had recently telephoned his late Commanding Officer who had ascertained that SETHIA had kept a diary but had not published it and it was still in his possession. Both the late Commanding Officer and another officer who had known SETHIA had concluded that the extracts from the diary quoted were not in SETHIA's style. DNSy advised that without further evidence it was unlikely that the diarist could be identified; and the VCNS concluded that no further action should be taken.

4. As was known to DNSy, SETHIA had separately written to the MOD on 15th February 1984 seeking advice on whether he would be allowed to write a book described as a factual account of CONQUEROR's experience between 4th April and 3rd July 1982. After extensive deliberation within the Ministry, he was advised on 3rd September (by the Director of Public Relations (Navy)) that he would need to seek clearance prior to publication (in accordance with his obligations under the Official Secrets Acts), and that two copies of the manuscript should be sent to the Chief of Public Relations.

5. On 24th August, the New Statesman published further extracts from the diary, as did The Times on 15th September.

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6. On 3rd October, SETHIA wrote again to the Director of Public Relations (Navy) replying to his letter, and, as he put it, to make it perfectly clear that recent publicity given to CONQUEROR's role was neither instigated nor sanctioned by him. He said that on publication of his book it would become evident that certain passages in it bore a resemblance to articles printed in the media. It was known that he had kept a diary and he had never made a secret of this because it was certainly not his intention ever to reveal items of a sensitive nature. SETHIA claimed that having received no reply to his request to submit his book to a publisher (in his letter of 15th February 1984 referred to above), he had handed the original text of the diary he had kept on board CONQUEROR to a personal acquaintance, whose family was involved in the publishing. The diary did not to his knowledge contain any sensitive material. The person to whom he gave it was serving in CONQUEROR at the time in question and was still in the RN and he (SETHIA) did not feel there would be any breach in responsibility to allow him to read it.

7. SETHIA went on to allege that, while on a visit to the UK, he saw extracts from the diary printed in The Times on 15 September. He therefore approached the person to whom he had given the diary who, at a meeting with SETHIA on 20 September 1984, admitted that he had taken the diary to Mr Tam Dalyell MP at the House of Commons who had taken it to his office in the House for a period of three hours. It was not known whether all the contents had been copied, but SETHIA now knew, having seen an extract from The Guardian newspaper, that at least part of it was photocopied.

8. SETHIA alleged that the person who had committed the breach of trust felt that the crew of CONQUEROR had been used and felt bitter and that the correct thing to do was to bring the matter to the attention of Mr Dalyell.

9. SETHIA ended his letter by saying that he had destroyed his diary in the last week of September but retained the draft of his book. The name of the man to whom he had handed his diary and who had publicised the material was Mr S O'KEEFE.

10. SETHIA's letter was brought to the attention of senior officials in the MOD on 31st October and on 5th November it was established that a rating, LMEM S J O'KEEFE had served in CONQUEROR during the Falklands Campaign and was currently serving in HMS DOLPHIN. He was interviewed by his Commanding Officer, in the presence of two other officers, on 6th November. O'KEEFE claimed that he had visited SETHIA in St Lucia when on holiday in the West Indies between April-May 1983. He had brought the diary back to the UK to show it to his father, a publisher, to see whether it was publishable. O'KEEFE's father had kept the diary for months but had said that he "couldn't afford" to publish it. O'KEEFE said that he had also shown the diary to Mr Tam Dalyell MP who had had the diary for one hour in the Library of the House of Commons while O'KEEFE waited for him on the verandah. O'KEEFE had subsequently sent the diary back to SETHIA, by hand in a sealed envelope.

11. O'KEEFE considered that the information in the diary would "not now" cause embarrassment. O'KEEFE was not asked about his motives in giving the document to Mr Dalyell or about discrepancies between his version of events and SETHIA's. O'KEEFE admitted that he had kept a photocopy of the diary which he handed over to his Commanding Officer on 7th November and which was forwarded to the MOD.

12. Comparison of the diary with the extracts broadcast by Panorama and published in Gavshon and Rice's book, The Guardian, Times and New Statesman shows that the diary was the document from which the extracts had been taken. Recent articles in the Observer (of 18th November) and Daily Mirror (of 15th November) also claim that Mr Dalyell had said he had part of the crewman's diary which was shown to an Observer reporter.

13. The diary has been examined by a submarine expert in the MOD who considers that it contains material which gives an insight into how a nuclear submarine operates and aspects of its capabilities which could be of value to an enemy and which would merit a classification of SECRET - UK/US EYES ONLY. It is also being examined by intelligence experts: it is clear that it contains highly classified material in this area (much of which has already been published in the extracts in the newspapers).

14. The Board of Inquiry into the separate loss of six control room logs from HMS CONQUEROR for the period April-September 1982 assesses that it cannot be ruled out that these are now in the possession of SETHIA: separate investigations are proceeding on this and other aspects of the missing logs.