



Queen Anne's Chambers  
28 Broadway London SW1H 9JS

Telephones DIRECT LINE 01-273 3000  
SWITCHBOARD 01-273 3000  
Telex 917564 GTN 273

16th July 1986

Our reference

Your reference

N L Wicks Esq  
Principal Private Secretary  
10 Downing Street  
London SW1

*Dear Nigel,*

OSPREY LIMITED AND ANOR V BRITISH SHIPBUILDERS AND OTHERS

Thank you for your letter of 10th July with the enclosures. I am returning the copy of the dossier, as it contains some original correspondence, and the documents extracted from the Policy Unit files.

2. The correspondence on the dossier shows that David Giles was supplying Christopher Monckton with material relating to the essential subject matter of the litigation. He must therefore have been aware that Monckton was generating his own papers, although, hopefully, he will not have known what form they took.
3. It does not appear that Monckton has made use of the information which he obtained from officials at the Ministry of Defence other than to refer the matter to the Prime Minister. I note that the documents were thereafter copied to the Ministry of Defence so that an investigation could be carried out on the basis proposed in your minute of 16th December last year to the Prime Minister.
4. I have consulted John Howes, the member of our Litigation Division who is looking after the MOD's interests in connection with the proceedings. He has looked through his files and believes that all the factual evidence in the dossier is already in the possession of the plaintiffs in the case. It is only the comments made by Monckton and the conclusions he has reached which they do not have and these could, of course, be an embarrassment to the Crown. However,

no Government Department is a party to the proceedings and although it is always possible that one of the participants might seek the production of some of the material, it is unlikely. The chances of Monckton being subpoenaed as a witness are also small since he cannot be regarded as an expert on the technicalities.

5. In all the circumstances, my advice is that the papers should be kept securely but nothing more should be done by way of response to Messrs Frere Cholmeley. If there is any further communication from them, a secretary should telephone them to say that Mr Monckton has left the Policy Unit and there is no-one handling the matter. If they should write in again, we shall have to decide how to reply in a way which indicates disengagement from the subject.

6. In summary, the risk that one of the parties will try to involve Monckton or a current member of the Policy Unit is reduced if we are correct in thinking that there is no factual evidence which is not to be found elsewhere in the papers which are in the Plaintiffs' possession.

Yours sincerely  
G A Hosker

G A Hosker

NAT. IND

SHORT FAT

SHIPS

12/85



SKW

10 DOWNING STREET

*From the Principal Private Secretary*

16 July 1986

**OSPREY LIMITED AND ANOR V BRITISH SHIPBUILDERS  
AND OTHERS**

Thank you for your letter of 16 July.  
Your advice is helpful. I shall be in touch  
again if we hear any more from Messrs. Frere  
Cholmeley.

(N. L. WICKS)

G. A. Hosker, Esq.,  
Office of the Treasury Solicitor.

SKW