



I thought he said the  
man on Thursday evening  
2  
Prime Minister

MUS 18/3

PRIME MINISTER

BRITISH CALEDONIAN - ANTI-TRUST ACTION BY  
LAKER LIQUIDATION

I have considered, with the assistance of experienced Counsel, the suggestion made in Sir Alan Thomson's letter to you of 15 March that I should intervene in the current proceedings in the English Courts, to support the grant of an injunction restraining the liquidator from continuing with the U.S. action. As you know, I am of course most anxious to assist British Caledonian. The question is finding the best way to do this. I have come to the view that an intervention, in the absence of a request from the Judge in this case and until we know the full facts, could well be counter-productive and might make matters worse rather than better for British Caledonian. I would not want any direct intervention to misfire. I am therefore writing to the Judge informing him that, until I have more information available to me about the details of the case, I have formed the view that it would not be appropriate to intervene but that should the Judge consider that he would be assisted by my participation on the questions of public policy and international relations which arise, I would be glad to assist. This course would ensure that our participation would not be counter-productive and would of course not exclude our participation in any appeal from an unfavourable ruling from the Judge.

I am copying that letter to British Caledonian and the other parties.

I am copying this minute to the Secretary of State for Trade.

18 March 1983

M.H.