

Page Minute: 35¹

Ref. A085/2100

MR FLESHER
_____Yes
Mr Peter WrightAgree to
proceed as proposed
by Sir Robert
Amstrong?

Dr 7/5

The purpose of this minute is to seek the Prime Minister's agreement to the next steps in the legal process to prevent the publication of Mr Peter Wright's memoirs. My minute to Mr Butler of 25 June (A085/1721) sets out the background to this case.

2. The first step will be for the Treasury Solicitor to write to William Heinemann Limited in this country to remind them that it would be a breach of Mr Wright's duty of confidentiality for him to record or seek to publish information concerning his activities as a member of the Security Service and to ask them to confirm that they are considering becoming or have become a party to arrangements for the publication or distribution of Mr Wright's memoirs. A similar letter will also be sent to the Australian company and probably to Mr Wright himself. These letters will be sent towards the end of next week.

3. After allowing a reasonable period for Heinemann's to reply (at least seven clear days), and assuming that either there is no reply or that the reply is unsatisfactory, we should proceed to seek an ex parte injunction in the High Court. Treasury Counsel is satisfied that we shall gain an injunction against Heinemann's before the High Court in this country and Australian Counsel has agreed to apply to the High Court in Sydney 24 hours later when we know the outcome of the English application.

4. The Treasury Solicitor has also drafted, in consultation with the Law Officers' Department and the Security Service, an opening Affidavit which he advises is likely to be most

effective if it is sworn by myself as Secretary of the Cabinet and the Prime Minister's principal official adviser on matters of security and intelligence. This need not be done until the very end of August or the first week in September and will need to take account of any reply from Heinemann's. He also advises that I should be prepared to be cross-examined on the affidavit both here and in Australia, although I hope that it may be possible for someone to do so on my behalf in Sydney.

5. I should be grateful for the Prime Minister's agreement, subject to there being no unforeseen developments, to our proceeding as described.

6. I am sending copies of this minute to the Private Secretaries to the Foreign and Commonwealth Secretary and the Home Secretary and to the Legal Secretary to the Law Officers.

RTA

ROBERT ARMSTRONG

7 August 1985



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CONSTRUCTION

SECRET



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10 DOWNING STREET

From the Private Secretary

MR HATFIELD

The Prime Minister has now seen Sir Robert Armstrong's minute of 7 August about the publication of Mr Peter Wright's memoirs. She has approved the procedure set out in Sir Robert's minute and would be grateful if he could now take the necessary steps.

I am sending copies of this to Mr Ricketts (Foreign and Commonwealth Office), Mr Taylor (Home Office) and to Mr Steel (Law Officers' Department).

A handwritten signature in black ink, appearing to be 'Tim Flesher'.

Tim Flesher

8 August 1985

SECRET