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From the Principal Private Secretary

29 November 1984

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ENCL NO.
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Dear Richard,

THE OBSERVER AND THE SETHIA DIARY

Your Secretary of State had a further word with the Prime Minister after Cabinet this morning about progress in relation to Lieutenant Sethia's diary. The Lord President, Solicitor General and Sir Robert Armstrong were present.

It had been reported from your office that the Editor of The Observer had now responded to Sir Clive Whitmore. He had said that The Observer did not have a copy of the diary, either in whole or in part. Mr. Andrew Wilson of The Observer had been loaned it by a source, whom Mr. Trelford would not name, just long enough to copy out the extracts printed last Sunday. He had then had to return it. Mr. Trelford could not confirm that the source was Mr. Dalyell but the inference was that it was not. Mr. Trelford offered to pass a message to The Observer's source about the Government's concern, although he understood that the Government might not wish to take up this offer without knowing who the source was. It was also reported that no Belgrano story was being carried in The New Statesman this week.

Your Secretary of State said that he was due to see Mr. Foulkes at 1230 today. It had not yet been possible to make contact with Mr. Dalyell. He proposed to say to Mr. Foulkes that the diary was covered by the Official Secrets Act and should be returned: he would not go into detail about the sensitivity of the information in it, beyond perhaps saying that it contained sensitive information about the tactical handling of submarine operations. He would wait until he could speak directly to Mr. Dalyell before delivering the same message to him but would make it clear to Mr. Foulkes that there would be no objection to Mr. Foulkes telling Mr. Dalyell what your Secretary of State had said.

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Summing up a brief discussion, the Prime Minister said that there was no point in taking an injunction against The Observer. It would also be wrong to pass a message to The Observer's source without knowing the identity of the person concerned. Your Secretary of State should speak to Mr. Foulkes and, if possible, Mr. Dalyell, on the lines proposed and Ministers would then consider the next step thereafter.

I am copying this letter to Janet Lewis-Jones (Lord President's Office), Len Appleyard (Foreign and Commonwealth Office), Hugh Taylor (Home Office), Henry Steel (Law Officers' Department), Sir Robert Armstrong and Sir Clive Whitmore.

Yours ever,

Robin Butler

Richard Mottram, Esq.,
Ministry of Defence.