



ATTORNEY GENERAL

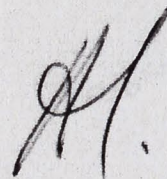
PONTING

*H.S. United Kingdom
has important the
Discrepancies are I have
made to office. This should
become clear - Thatcher?
M.H.*

*18.1
Maybe
FCO should
ask the con.*

1. Please see my letter to Clive Whitmore. This is the matter which I said yesterday that I wanted to put to you.
2. I think that the ball is in the MOD and FCO courts in the sense that it is first for them to say whether, and in respect of which documents, there are objections to disclosure. You can then advise on the forensic merits of standing on those objections.
3. This is almost certain to be one of the topics for discussion at the conference which has now been arranged for 3 pm on Tuesday of next week (22 January). You will also want to discuss/rather broader question of how we handle the Crown Jewels and any other related documents that go in. I believe that Roy Amlot specifically wants guidance on what he can say about them in his opening, i.e. in open court. Apart from these questions about the handling of the evidence, I see the major purpose of the conference as the identification of what our line of argument should be on the central issue in the case, i.e. the meaning of the words "a person to whom it is in the interest of the State his duty to communicate it".
4. Reverting to my letter to Clive Whitmore, I should point out that it is not strictly accurate when it describes the documents now in the DPP's possession as including "the various supporting documents which are referred to in the chronology". What he has are those supporting documents which Ponting expressly said, either in

the covering minute or in the chronology, that he was attaching - i.e. he has an exact copy of the bundle of documents that Ponting submitted with his minute. There are other documents referred to in the minute or the chronology (e.g. the so-called "joint minute of dissent") which are referred to but which were not attached and which the DPP therefore does not have. But it does not follow, of course, that these may not also be requested.



H STEEL

18 January, 1985

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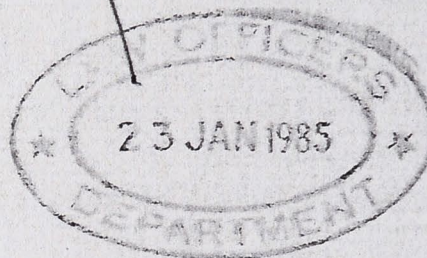


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PERMANENT UNDER-SECRETARY OF STATE
SIR CLIVE WHITMORE KCB CVO

18th January, 1985.

PUS/V85/53
(54/2)



See Henry

PONTING

Thank you for your letter of 17th January.

This is to confirm what Desmond Bowen told you on the telephone earlier this afternoon. I have been in touch with the Defence Secretary's party in Bonn and I have obtained the Defence Secretary's agreement that Tony Hetherington should be free either to volunteer some or all of the documents supporting the Crown Jewels or to make them available at the request of the Defence.

I am sending copies of this letter to David Goodall (who discussed the matter with me earlier today), John Freeland and Tony Hetherington.

Yours sincerely,

Clive

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