

FILE
DA/ND

SUBJECT CC MASTER

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

1 December 1986

Dear Stephen,

THE PETER WRIGHT CASE

The Prime Minister held a meeting this morning to discuss the position on the Wright case. The Lord President, Foreign and Commonwealth Secretary, Home Secretary, Attorney General, Solicitor General, Chief Whip and Mr. Mallaby were present.

Mr. Mallaby reported that Mr. Justice Powell was expected to give his decision on public interest immunity (PII) at 11 p.m. tonight. Ministers would then have the whole of tomorrow to decide how to react to his judgement. Depending on the judge's decision, the Government could comply with his order, appeal against it or, more unlikely at this stage, abandon the case. The feeling of our Australian team was that the judge would order some documents to be discovered while bringing others under PII. In order to help Ministers reach urgent decisions tomorrow, officials were today considering each document to check whether it could be disclosed to the defence if the judge so directed. Sir Robert Armstrong would be re-examined tomorrow by our own counsel. In his replies, Sir Robert would stress that the central issue in the case was one of confidentiality of former members of the security service and indicate that many of the other issues raised by the defence counsel were irrelevant. He would emphasise that there was no Government authority whatsoever for the publication of Mr. Chapman Pincher's book "Their Trade is Treachery".

The Home Secretary reported on the recent meetings of his ad hoc group.

The following were the main points raised in the discussion:

1. It was agreed that the Prime Minister and other Ministers should not go beyond the statements already given.
2. Ministers should say that action on both Mr. Wright's and Mr. Chapman Pincher's book was taken by Government collectively. The roles of various Ministers should not be referred to.
3. Officials should consider whether any documents, which they might recommend could be disclosed, would make public

dg

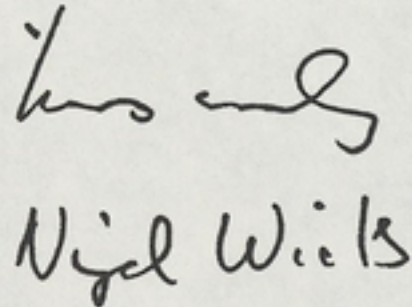
material, which while not damaging in this particular case, might provoke political controversy and damaging comment.

4. It was reported that someone associated with the Granada Television Company was a member of the defence counsel's team, and might be in court during in camera proceedings. Mr. Mallaby, in consultation with the Law Officers' Department, should check the truth of this report and see what assurance we could have that the person concerned would not communicate to others matters referred to in the in camera proceedings. It was agreed that in the light of further reflection, our counsel should not say in court that the Prime Minister had not discussed Mr. Peter Wright or his book with Lord Rothschild. (This reverses the instruction in my minute of 27 November to Mr. Mallaby.) It should, however, be made clear in court that no Government authority was given directly, or indirectly, to the publication of Mr. Chapman Pincher's book, "Their Trade is Treachery".

5. The Home Secretary should remind the House in the Debate on Wednesday of, among other things, the improvements in security arrangements introduced following the Prime and Bettaney cases. He should emphasise the absurdity of establishing a Committee of Privy Councillors to override the decisions of the Prime Minister, Foreign and Commonwealth Secretary and Home Secretary. He should take particular care in disposing of suggestions that the Security Commission should be involved in view of their role of monitoring interception warrants. The Lord Privy Seal should be asked to wind up in the Debate.

6. The Chief Whip reported on his conversation with Sir Edward Gardner, M.P., about his conversation with Mr. Callaghan. It was agreed that the Chief Whip should pass the message to Mr. Callaghan, through Sir Edward, that the Prime Minister would, if Mr. Callaghan wished, be willing to have a discussion with him about security matters when the Wright case was over. Meanwhile, it would be helpful if Mr. Callaghan did not seek to raise these issues in the Debate on Wednesday.

I am sending copies of this letter to the Private Secretaries to the Lord President, the Foreign and Commonwealth Secretary, the Attorney General, the Solicitor General, and the Chief Whip, and to Mr. Mallaby in the Cabinet Office.


Nigel Wicks

N.L. Wicks

Stephen Boys Smith, Esq.,
Home Office.