



MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1

Telephone 01-930 7022

MO 23/1V

8th July 1986

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to note

N.L.W

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Dear Nigel,

LIEUTENANT SETHIA - DIARY

The Prime Minister may wish to be aware that we have received a letter from Solicitors acting for Associated Newspapers, the publishers of 'The Mail on Sunday' and Mr Chester Stern, a journalist, saying that a copy of Lieutenant Sethia's diary has recently come into their possession in connection with a libel action brought against their clients by Sethia.

The Treasury Solicitor advises that we would be entitled to recover a copy of the diary under Section 2 of the Official Secrets Act. Although this could possibly attract some adverse publicity, not to take action to recover the document would be inconsistent with the line we have previously taken, and could indeed prejudice our efforts to prevent disclosure of the diary in Sethia's case against the Observer. Given this, Mr Younger has agreed that the Treasury Solicitor should write to the Solicitors, on his behalf, asking them to relinquish the document if it is, as suggested, a copy of Sethia's diary. If this fails, then it would be open to us to seek a legal direction for the recovery of the document.

I am sending a copy of this letter to Tony Galsworthy (FCO), Henry Steel (Law Officers' Department), Michael Stark (Cabinet Office) and John Bailey (Treasury Solicitor).

*Yours sincerely,
John Howe*

(J F HOWE)

Nigel Wicks Esq
10 Downing Street