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# Britain begins prosecution for leak about ship sinking

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LONDON — Despite severe criticism by the press, civil libertarians and some members of Parliament, the British government yesterday began prosecuting a civil servant for allegedly leaking confidential documents about the sinking of the Argentine cruiser General Belgrano during the 1982 Falklands War.

Clive Ponting, 38, pleaded not guilty at the Old Bailey to a charge brought under the highly controversial Section 2 of the 1911 Official Secrets Act, a law which could send him to prison. Mr. Ponting's lawyer has conceded that Mr. Ponting sent two documents to Labor MP Tam Dalyell, but he said Mr. Dalyell did not fit the act's description of an "unauthorized person" and that Mr. Ponting did nothing to harm the state.

The case is a cause celebre for Britons who are pressing for a Freedom of Information Act like that in the United States. Unlike Sarah Tisdall, a clerk who went to jail for six months last year for sending the Guardian newspaper a confidential document citing the arrival time of U.S. cruise missiles, Mr. Ponting sent non-secret documents to a member of Parliament who did not release them to the press but to an all-party parliamentary committee

investigating the Falklands War. Mr. Ponting contends his obligation to Parliament is greater than to his political master, the government.

Mr. Dalyell is an opposition Labor MP who has insisted that the government lied about the circumstances of the sinking of the Belgrano because it did not want a negotiated settlement of the Falklands conflict.

Although Mr. Dalyell has so far failed to prove his thesis, he has managed to make the government uncomfortable about apparent contradictions, and he has jarred Conservative supporters of the government into questioning its reluctance to provide information.

The Belgrano was torpedoed on May 2, 1982, killing 368. Mr. Ponting, a senior Defense Ministry official working closely with the navy, was asked last year to prepare answers to parliamentary questions about the sinking. He then reportedly told Defense Secretary Michael Heseltine that there could only be political reasons for not releasing detailed information to Parliament.

After Mr. Heseltine rejected this argument, Mr. Ponting is said to have sent the documents to Mr. Dalyell. One document, stamped 'Confidential,' apparently disclosed a five-day delay before the Argentineans were warned that any of their warships outside the British 200-mile exclusion zone around the Falklands would be considered targets.

The other document, which was unclassified, disclosed that the Belgrano had changed course for home 11 hours before she was sunk 35 miles outside the exclusion zone.

The government prosecutor, Roy Amylot, said he did not intend to examine the Belgrano sinking, which the government and others have staunchly maintained as necessary to defend Britain's vulnerable task force 8,000 miles from home. He said this was a case about communicating official documents to an "unauthorized" person, which the prosecutor characterized as a breach of the trust imposed upon Mr. Ponting.

While there is no obvious security threat, the backgrounds of the jurors — eight men and four women — have been investigated by security officers, and some of the case is being heard in private because the government wants to introduce evidence from the so-called "Crown Jewels," a massive document about the Belgrano sinking which reportedly contains sensitive information about intelligence gathering. Britain is reported to have broken Argentina's secret military codes.

While the defense objected that excluding the public from the proceedings might somehow imply that Mr. Ponting was a spy, the government claimed it was necessary in order for the jury to see in context what Mr. Ponting had done.