



10 DOWNING STREET

THE PRIME MINISTER

13 February, 1985

*Dear Mr. Steel*

Thank you for your letter of 13 February.

I am grateful for your acceptance of my assurance that I took no part in the decision to prosecute Mr. Clive Ponting.

You ask for clarification of two particular points. First, I confirm that neither Michael Heseltine nor any other Minister decided or was consulted about referral of the papers to the Director of Public Prosecutions. As I said in my letter to Dr. David Owen of 14 September, of which I enclose a copy, the matter was referred to the Director of Public Prosecutions by officials of the Ministry of Defence on 13 August. Later that day, after the reference had been made, the Secretary of State for Defence and I were informed. Second, the decision to prosecute Mr. Ponting was taken by the Law Officers on 17 August. Subsequently I was informed of that decision by my Private Office. I did not discuss the matter at any time with John Stanley or with any other Ministers or officials or with the Law Officers. My approval was neither sought nor given since, as I said in my letter to Dr. Owen, it would be entirely improper for me or my colleagues to interfere with the exercise of the Law Officers' quasijudicial functions.

On the other matters you raise, you will of course have the opportunity to put your points in the debate on Monday.

I must make it clear, however, that the Government will continue to take very seriously its duty to ensure that information is not released which might endanger the security of the people of the Falklands and our Armed Forces who are still there.

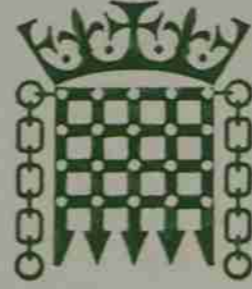
Yours sincerely

Margaret Thatcher

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The Rt. Hon. David Steel, M.P.

THE RT. HON. DAVID STEEL, M.P.



HOUSE OF COMMONS  
LONDON SW1A 0AA

13th February 1985.

Dear Prime Minister,

Yesterday you explicitly assured the House that you were not involved in the decision to prosecute Clive Ponting. I accept that. The Attorney-General also said with great care that neither he nor the Solicitor-General nor any of his officials was in contact with other Ministers before he took the decision to prosecute. I accept that also.

Nevertheless I should be grateful if you would quickly confirm two points to clarify this matter. First, that the person who decided to refer the matter to the Director of Public Prosecutions was Michael Heseltine, thus overriding the previous view of his officials and the Ministry of Defence police that Mr. Ponting should not be prosecuted but his resignation required; and second, that while you were on holiday in Switzerland you were telephoned (by John Stanley?) and told of the referral to the DPP and that you signified your approval of the decision to prosecute? This is not of course the same thing as being involved in that decision itself.

Some clarification on this issue might resolve the unseemly row between yourself and the Leader of the Labour Party.

In any case I believe Mr. Kinnock to be wrong in concentrating on the side issue of who decided to prosecute. What the House and the public are entitled to know is who authorised the whole series of misleading statements about the sinking of the Belgrano.

(cont'd)

It is not good enough two years after these hostilities to dwell on the security of our forces, though of course that must have been the priority consideration at the time. The jury saw the details which have been denied to us, and still acquitted Mr. Ponting. The continued efforts to mislead Parliament were exposed in the trial, and it is on this that the debate on Monday should concentrate.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Paul Hirst". The signature is written in a cursive, flowing style.

The Rt. Hon. Mrs. Margaret Thatcher, M.P.,  
The Prime Minister,  
10 Downing St.