

CONFIDENTIAL MANAGEMENT-in-CONFIDENCE



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Sean Martin,

Mr Le Cheminant has asked me to let you have the attached record of a conversation about Mr Ponting which he had with Mr Ward of the FDA earlier today. Subject to advice Mr Le Cheminant's view is that we should not engage in further discussion with Mr Ward on this matter until a decision has been taken on whether to prosecute.

I am copying this letter and attachment to the private secretaries to Sir Robert Armstrong, Sir Antony Acland, Sir Thomas Hetherington, Sir John Jones and to Robin Butler.

Yours ever,
Peter Martin

P MARTIN
Private Secretary

NOTE FOR RECORD

MR PONTING

John Ward, General Secretary of the First Division Association (FDA) telephoned Mr Le Cheminant this afternoon. Mr Ward said that Mr Ponting of the Ministry of Defence had been to the FDA and had told them of the events which had led to his being suspended without pay. Mr Ward said that the FDA did not condone action such as that alleged to have been committed by Mr Ponting - they were on record as regarding leaks as 'unprofessional' - but the FDA did not wish to leave Mr Ponting 'out in the cold' and therefore wished to bring various points to the attention of those handling the case. Mr Le Cheminant said that he was prepared to take delivery of any message on a purely private basis and to pass it on to those concerned. The conversation could not however be regarded as an occasion for making 'representation' in any formal sense. Mr Ward agreed and then said:

- i. according to Mr Ponting MOD management were aware of his pacifist views before the alleged events. MOD management must therefore bear a share of responsibility for Mr Ponting's action in that they had left him in a post where a conflict of conscience might arise.
- ii. Mr Ward understood that the documents which had been leaked were unclassified. Although he recognised that leaking such documents was technically a breach of the Official Secrets Act (OSA) he felt that a prosecution under the OSA in this case rather than dealing with it through departmental disciplinary procedures would be to use 'a sledgehammer to crack a nut'.
- iii. finally Mr Ward drew attention to the political sensitivity of the events surrounding the sinking of the General Belgrano. Ministers would no doubt wish to consider whether it would be sensible to institute court proceedings which would have the effect of drawing attention to those events.

Mr Le Cheminant did not respond to any of these points; but simply repeated that he would ensure that Mr Ward's comments were brought to the attention of those concerned. In response to a further enquiry from Mr Ward about timing Mr Le Cheminant said that it was important for Mr Ponting's case to be dealt with in accordance with the correct procedures. He was not however in a position to predict when the consideration of Mr Ponting's case would be completed. Mr Ward accepted this and, in conclusion, said that he would be happy to discuss the case further, on an official or unofficial basis, with whoever was handling the case.