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MANAGEMENT AND PERSONNEL OFFICE

## CABINET OFFICE

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Sir Ewen Broadbent KCB  
Ministry of Defence  
Main Building  
Whitehall  
London SW1

13 August 1984

*DMB*  
*15/8*

*Dear Ewen,*

### LEAK INVESTIGATION

You wrote to Robert Armstrong on Friday last (10 August) informing him that the Ministry of Defence police had been asked to carry out an investigation into the circumstances in which two Ministry of Defence documents - relating to the sinking of the General Belgrano - had come into the hands of Mr Tam Dalyell MP. Mr Dalyell had sent the documents to Mr Anthony Kershaw MP in his capacity as Chairman of the Foreign Affairs Committee who had taken one copy for the Committee's use and then passed them to your Secretary of State.

You called in to see me at noon today to tell me that the MDP enquiry had resulted in an admission by an Assistant Secretary in your Department that he had passed the papers to Mr Dalyell. The officer concerned had tendered his resignation.

You also told me that you had had a brief word with the Director of Public Prosecutions this morning about whether it would be appropriate to launch a prosecution under the Official Secrets Act. Tony Hetherington had said that he would need to consult the Law Officers.

Finally you told me that your Secretary of State leaves on holiday for two weeks this evening and that you would be visiting him at his home in Banbury in the course of the afternoon to discuss the matter. You asked for any advice the Cabinet Office could give by 3.00 pm this afternoon. The remainder of this letter is to confirm what I told you on the telephone earlier this afternoon.

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I have consulted in the office and we are quite clear that it will be essential for the Government to operate by the book: and that for this purpose the necessary first step is for the Director of Public Prosecutions, in consultation with the Law Officers, to consider whether a prosecution should be brought under the Official Secrets Act. Only when this has been done can we sensibly consider the action to be taken about the proffered resignation and the institution of internal disciplinary proceedings.

I imagine that all of this will take several days. But the first question which will be asked when the matter becomes public - which could presumably be at any time - will inevitably relate to the possibility of prosecution under the Official Secrets Act and the Government will need an answer. You will no doubt wish to advise your Secretary of State in this sense.

On final point. Given the numbers of people who are already aware of this situation we must be ready with a public line to take in the event of media interest before any decisions have been taken. I imagine this would be confined to confirmation that there had been a leak; that it had been investigated; and that the results of the investigation were under consideration. To say anything more would risk impairing any subsequent proceedings which might be decided upon.

I am copying this letter to Robert Armstrong, Tony Hetherington, Robin Butler, Antony Acland and John Jones.

*Tamara*  
*Butler*

113 AUG 1982

