



The Main Feature

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Official Secrets

UK-US, 2019

112 minutes Certificate 15

Director	Gavin Hood
Writers	Sarah Bernstein, Gregory Bernstein, and Gavin Hood
Cinematography	Florian Hoffmeister

Cast:	
Katherine Gun	Keira Knightley
Martin Bright	Matt Smith
Peter Beaumont	Matthew Goode
Ed Vulliamy	Rhys Ifans
Yasar Gun	Adam Bakri
Ben Emmerson	Ralph Fiennes



You work for the Government. You see confidential information that reveals something wrong. Would you be a whistle blower? And what would be the risks of prosecution and imprisonment under the Official Secrets Act? That is the central dilemma of tonight's film *Official Secrets*.

The film is set in 2004 and is based on actual events. Katherine Gun (Keira Knightley) is an analyst at GCHQ who leaks a memo exposing an illegal spying operation by American and British intelligence services to gauge sentiment of, and potentially blackmail, United Nations diplomats who will vote on a resolution regarding the 2003 invasion of Iraq. The story concerns the complex web of interactions between individuals, the press, the Government and the law.

Katherine Gun had reason to be worried because the story has antecedents. In 1983 Sarah Tisdall, a clerical officer in the Foreign and Commonwealth Office, sent anonymously to the Guardian newspaper documents detailing when American cruise missiles armed with nuclear weapons would be arriving in Britain. The documents set out the political tactics Michael Heseltine, then defence minister, would use to present the matter in the House of Commons. The Guardian published the story. The Government brought a legal action against it, seeking an order requiring the newspaper to reveal its source. The Guardian successfully argued that it was protected by section 10 of the Contempt of Court Act 1981 from identifying its source, but that decision was overturned on appeal by the Attorney General who argued that although the documents themselves were harmless, a civil servant capable of leaking them might leak other documents which could pose a threat to national security. The editor of the Guardian, Peter Preston, was prepared to defy the court order and go to prison, but was advised that it was more likely that a fine would be imposed on the newspaper, increasing as long as refusal persisted. This



could potentially bankrupt the paper. Defying the order would also violate the Guardian's policy that the law should be obeyed.

Preston complied with the court order to hand over the documents—which he described as the worst day of his 20-year editorship—and immediately submitted his resignation, which was not accepted. The documents were identified as coming from an FCO photocopying machine. The machine led

to Tisdall. In March 1984, Tisdall pleaded guilty to a charge under section 2 of the Official Secrets Act 1911. She was sentenced to six months in prison, and released after four months.

Another example from the following year concerns the Falklands war and a senior civil servant in the Ministry of Defence, Clive Ponting.

When in 1982 Margaret Thatcher sent the navy to recapture the Falkland Islands from Argentina, the Belgrano sinking caused immense controversy. More than 300 sailors, mostly young conscripts, died. The British government maintained that the cruiser had been 'closing on elements of our task force' when it was torpedoed.



They stuck to this story against repeated challenge, notably from Tam Dalyell, an aristocratic – and idiosyncratic – Labour MP.

The truth was much more nuanced: the cruiser was not in fact sailing towards the British declared 'exclusion zone', and had not been suddenly encountered in the fog of war. It had been shadowed for many hours before the order came down to sink it.

Ponting wrote a secret report dubbed the Crown Jewels for his political masters, the defence secretary, Michael Heseltine, and his junior minister, John Stanley. They rejected his advice that they should be open about the matter when answering parliamentary questions and providing information to a select committee inquiry. An affronted Ponting sent copies of his documents to Dalyell in the post. He did not bargain for what happened next. Dalyell gave the papers to the committee chairman and Tory MP Sir Anthony Kershaw. He in turn alerted Heseltine, who called in the police. A tell-tale punch-hole led them to Ponting's office.

Ponting and the Ministry agreed that Ponting should resign with no further action, but Ministers went back on the agreement and insisted he was prosecuted under the Official Secrets Act 1911. Ponting's defence argued it was permitted to release government information if it was in the 'interests of the state' to do so. The judge was hostile to this novelty. He told the lawyers, while the jurors were absent, that he might order the jury to convict. The 'interests of the state', he said, were the same thing as the interests of the government of the day. But the jury took Ponting's side, and he was acquitted.

Subsequently, the Act was amended to remove the defence that releasing information was 'interests of the state' so that was no longer an option. As you watch the film, ask yourself: how would I react if I were in Katherine Gun's shoes?

Michael Hipkins



We thank Red Eye for subsidising the cost of printing these notes. Red Eye Print, Unit 2D, Lansbury Estate, 102 Lower Guildford Road, Knaphill, GU21 2EP Tel: 01483 772111

Official Secrets Act 1911 – the background

In his comprehensive book *Whitehall* (1989) Professor Peter Hennessy outlines the origins of the Official Secrets Act – this is an edited version

Before 1911 there was no statutory framework, and the response to breaches of secrecy was exhortation. In 1887, a dockyard draftsman sold confidential designs of warships which pushed the Government into drafting a Breach of Official Trust Bill which was enacted in 1889. The Act made it an offence for a crown servant to communicate official information 'corruptly or contrary to his official duty' to a person to whom 'it ought not, in the interest of the State or otherwise in the public interest, to be communicated at that time'.

The impulse towards even tighter secrecy was fear of German espionage. Whitehall had been shaken rigid by the swift emergence of Germany as a blue-water naval power in the early years of the twentieth century and the first real threat to Britain's naval supremacy since 1815. The Committee for Imperial Defence proposed the establishment of MI5, MI6 and what became the Official Secrets Act 1911.

Section 2 of the Act is short but it is in very wide terms and it is highly condensed. It covers a great deal of ground and it creates a considerable number of detailed offences – according to one calculation over 2000 differently worded charges can be brought under it. The main offence it creates is the unauthorised communication of official information (including documents) by a Crown servant. It makes no distinctions of kind, and no distinctions of degree. All information which a Crown servant learns in the course of his duty is 'official' for the purposes of section 2, whatever its nature, whatever its importance, whatever its original source.

Clive Ponting, in his book *Whitehall: Tragedy and Farce* (1986) amplifies the point



The important part of Section 2 is that it not only covers 'classified' or 'secret' information, as many people believe; it involves every single piece of information inside Whitehall. It is therefore a criminal offence to give anybody outside Whitehall any information about what goes on inside the government machine. [...] Disclosure is acceptable when it is 'authorised' ... [but] there is no procedure for 'authorisation'.

In practice what happens is that Ministers, at the top of the machine, authorise themselves to release whatever information they like including material classified as Confidential and Secret [...]. Senior civil servants and others in the upper echelons of Whitehall also feel free to tell the media highly selected items of information from inside the machine. Occasionally they step over the (unmarked) line [...] but people at this level are too powerful to suffer more than a light rap over the knuckles. Only when a less powerful civil servant 'leaks' information embarrassing to the government is there a prosecution under the Official Secrets Act.

Following the Ponting case, the Official Secrets Act 1989 replaced the 1911 Act. The designation of information under the Act is now narrower (including: security and intelligence, defence, international relations) but at the same time the new Act removes the public interest defence.

See also the House of Commons Library briefing paper 'The Official Secrets Acts and Official Secrecy' <https://researchbriefings.files.parliament.uk/documents/CBP-7422/CBP-7422.pdf>

Comments and reactions to: **Portrait of a Lady on Fire**

No of reaction slips received = 18

Average score = 6.22

Score	0	1	2	3	4	5	6	7	8	9	10
	1	~	~	~	2	2	5	1	6	1	~

Strong acting by the two leads. But ... very slow

It was ravishing to look at - the people and the locations. It gave a compelling impression of the historical period, albeit sanitised. The Breton singing was mesmerising. I want to visit that austere beautiful and slightly spooky chateau. In fact, you can! It is at La Chapelle Gauthier, in Seine et Marne.

Beguiling but slow burn. Gave a historical context for the French to invent photography!

Plodding – but well-acted

Well-made, but needed a bit more 'fire'

Exquisite!

Lovely photography, but lingered rather too long at times

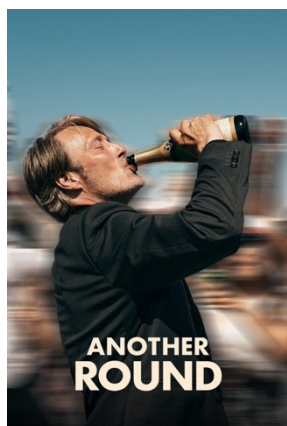
Excellent acting. An excellent choice for a cinema club. Thank you WNCC

Sadly, I did not enjoy the film and if possible, my friend and I would have left. It was too erotic, not my sort of film. I would not watch it again. Not recommended

Bit slow but well-acted

Position	Film	Average score
1	Breakfast at Tiffany's	7.20
2	Nomadland	7.13
3	Parasite	7.07
4	The Farewell	6.85
5	The Personal History of David Copperfield	6.67
6	Permission	6.60
7	Pain and Glory	6.59
8	The Crimson Pirate	6.42
9	Portrait of a Lady on Fire	6.22
10	Baby Driver	6.19
11	Limbo	6.18
12	JoJo Rabbit	6.04
13	Bait	5.35

Forthcoming attraction: 28 April 2022 – **Another Round**



Mads Mikkelsen is Martin, a bored, indifferent high-school teacher who, like his closest colleagues, is trapped in the creeping throes of a midlife crisis – a feeling that the glass is now half empty. Inspired by Norwegian psychiatrist Finn Skårderud's suggestion that the human body has an inbuilt alcohol deficiency, Martin and three close friends embark on a reckless experiment: to see if daytime drinking can help them become better versions of themselves – to learn to live again.

Mark Kermode, The Guardian