



THE
CORNER
HOUSE

Press release

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for immediate release

Campaigners highlight apparent immunity given to BAE as SFO brings plea bargain settlement to court

Campaign Against Arms Trade (CAAT) and The Corner House have urged the Serious Fraud Office (SFO) to bring to the Court's attention its undertaking never to prosecute any individual in future if doing so involves alleging BAE Systems was guilty of corruption.

The request comes on the eve of SFO bringing to Court its plea bargain settlement agreed in February this year with BAE concerning the company's sale of a military radar system to Tanzania in 1999.

The SFO had been investigating alleged corruption in the sale, but BAE will plead guilty only to a breach of duty to keep accounting records in relation to payments made to a marketing adviser in Tanzania.

In their letter of 19 November to SFO Director Richard Alderman the two groups state:

"We remain deeply concerned about the terms of the plea bargain that the SFO has struck with BAE. ...you disclosed that:

"BAe requested an undertaking from [sic] the SFO that in any future proceedings (to which BAe was not a party) the prosecution would not allege that the company was guilty of corruption."

Despite repeated requests, the SFO has not released further details of this undertaking.

CAAT and The Corner House contend that the undertaking would limit future SFO prosecutions against individuals if doing so involved making allegations about BAE's conduct and, as such, would appear to make the plea bargain unlawful.

The case "SFO v BAE Systems " is scheduled for Tuesday 23 November 2010 at 10am, in Court 1, City of Westminster Magistrates Court. At this preliminary hearing, a date will be set for a final hearing in 2011 at which a judge will be asked to confirm the final settlement.

ENDS

For further information or an interview please contact:

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NOTES

1. Campaign Against Arms Trade (CAAT) works for the reduction and ultimate abolition of the international arms trade. www.caat.org.uk.
The Corner House aims to support democratic and community movements for environmental and social justice through analysis, research and advocacy. www.thecornerhouse.org.uk
2. A copy of the letter of 19 November from CAAT and The Corner House to Richard Alderman, Director of the SFO is attached here.
3. Further information about BAE's radar deal with Tanzania can be found at: http://www.caat.org.uk/issues/bae/country_overviews.php
4. The Serious Fraud Office is a UK government department that investigates and prosecutes complex fraud. It aims to contribute to "the delivery of justice and the rule of law."
<http://www.sfo.gov.uk>
5. BAE Systems is one of the world's largest arms producers. It makes fighter aircraft, warships, tanks, armoured vehicles, artillery systems, missiles and munitions. Its foremost markets are Saudi Arabia and the United States. It has consistently denied any wrong-doing.