

RESTRICTED - STAFF

he had said to Gilligan, their meeting could turn out to be very important in relation to the public dispute between the government and the BBC about Gilligan's claims. It might become necessary to consider a public statement based on his account. Gilligan's reputation was at stake and he would be bound to challenge any inaccuracies – and I reminded Dr Kelly of the possibility that he might have been tape-recorded. Dr Kelly said that he understood this but stood by his account.

I said that I was prepared to accept his account in good faith. On the basis of what his letter and what he had said, it was clear that he had breached departmental instructions on numerous occasions by having conversations with journalists which had been neither unauthorised by or reported to the MOD press office, although on most occasions he had consulted the FCO press office. His contact with Gilligan was particularly ill-judged. Even if he was not Gilligan's primary source, it had had very awkward consequences both for him and the department, much of which could have been avoided even if he had reported the contact immediately afterwards. Someone who had dealt regularly with the press in a previous capacity should have known better. This was a potentially very serious matter. Nevertheless, I accepted his assurance that there had been no malicious intent and there appeared no reason to believe that classified material had been revealed. On that basis, I judged that it would not be appropriate to initiate formal disciplinary proceedings. I would, however, write to him shortly to record my displeasure at his conduct. I went on to instruct him to familiarise himself with departmental guidance about dealings with the media, to report all contacts to his line manager and never to agree to an interview without explicit authority. Finally, I warned Dr Kelly that any further breaches would be almost certain to lead to disciplinary action and the possibility of disciplinary action could of course be re-opened if further facts came to light that called his account and assurances into question.

The second part of the interview was devoted to a more detailed comparison of Dr Kelly's interview with Gilligan's FAC appearance. I will summarise my conclusions - my detailed analysis is appended. [Dr Wells also took notes]

It is very difficult to reconcile Dr Kelly's account of his May 22 discussion with the evidence given to the FAC by Gilligan, if this is indeed all attributable to a single source. Kelly's account is consistent with some aspects of the FAC evidence and some of the discrepancies might be attributable to exaggeration, misrepresentation or misunderstanding by Gilligan and/or Kelly. Although Kelly admits to two comments that might lend credence to a claim that the dossier had been "sexed-up", he denies making such a claim and the related allegations which Gilligan attributed to his 'single source' and Kelly was not involved in the preparation of the intelligence part of the dossier. The focus of the two discussions also appears different – the dossier is only a small part of the Kelly discussion and Kelly specifically denies telling Gilligan (or anyone else outside government) that he had had any involvement with the dossier. Moreover, some of the views attributed to the source appear directly contrary to those expressed by Kelly.

There is also some evidence that does point to the existence of a different source for these allegations. Some aspects of Gilligan's description of his source do not properly match Kelly (although exaggeration and misrepresentation to try to protect the