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On the other hand.

- It is not unreasonable for the FAC to feel that Dr Kelly's account may call into question the evidence that they were given by Andrew Gilligan and that they should therefore have an opportunity to see him themselves. (It is conceivable, that having done so, they may decide to recall Gilligan.)
- Presentationally, it would be difficult to defend a position in which the Government had objected to Dr Kelly appearing before a Committee of the House which takes evidence in public in favour of an appointed Committee which meets in private. Although the ISC has considered taking evidence in public before and might decide to do so on this occasion, this could set an unwelcome precedent for both the Committee itself and for us.

The Defence Secretary has, therefore, concluded that on balance we should agree to the FAC's request. Given that Dr Kelly is a relatively junior official who played only a limited role in the preparation of the Dossier, we should invite Donald Anderson to agree that the Committee will confine its questioning to matters directly relevant to Andrew Gilligan's evidence. I understand that No.10 would be content with this approach.

Attached are drafts of the letters which the Defence Secretary proposes to send to Donald Anderson and Anne Taylor later today. I should be grateful for any comments that you may have by **no later than 1430 today**.

I am copying this letter to Jonathan Powell and Alastair Campbell (No.10) and to Sir David Omand and John Scarlett (Cabinet Office)

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Peter*

P D WATKINS
Private Secretary

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