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PRESS BRIEFING: 3.45PM WEDNESDAY 9 JULY 2003

GUANTANAMO BAY

Asked if the Prime Minister was in favour of a public trial for the six internees at Guantanamo Bay, the Prime Minister's Official Spokesman (PMOS) said that the Prime Minister was in favour of something that would match international standards. As he had told the House during PMQs today, the precise circumstances in which these people would be tried was still a matter for decision and discussion. We had put our view to the relevant authorities and were currently awaiting their response. Pressed as to whether the Prime Minister wanted a public hearing, the PMOS said that it would be more helpful to wait and see what was proposed and then respond accordingly. Asked what the Prime Minister wanted to see, the PMOS said he wanted to see a trial process which conformed with international norms. Asked when a decision would be made, the PMOS said that as the Prime Minister had told the House today, it was up to the US Administration to make known what its intentions were. In the meantime we remained in discussions with them.

Asked if the British Government had raised concerns about the use of the death penalty with the US Administration, the PMOS said that our view on the death penalty had been expressed at a variety of levels with the American Government. Questioned as to whether the Prime Minister would be raising this matter with President Bush at their next meeting, the PMOS said that he had no intention of pre-empting any future discussions they might have. Asked if they had discussed the issue in the past, the PMOS repeated that our view was well known at a variety of levels within the US Administration.

Asked if the Government was concerned that the two British internees would be denied access to British lawyers, the PMOS said that it was important to wait for the US to make its decision about the type of hearing it wanted before we made any comment. Questioned about the continuing imprisonment of the other seven British



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internees, the PMOS said that the Prime Minister had already underlined that this situation could not go on indefinitely. That said, the information that continued to come out from Guantanamo Bay was important in the fight against international terrorism. We acknowledged that it was difficult to get the balance right. Asked if the Prime Minister had received advice from Lord Goldsmith as to which Articles of the Hague and Geneva Conventions the internees were being held and tried under, the PMOS said that he was not aware of any such advice.

IRAQ

Intelligence

Asked if the Prime Minister had received the Opposition Leader's letter following his suggestion that the Prime Minister had misrepresented security briefings he had received, the PMOS confirmed that the Prime Minister had received the Opposition Leader's letter and would reply to it in his own time and in his own way. The Leader of the Opposition had received two briefings. The first had been on the intelligence which had been included in the September dossier. The second had been about intelligence relating to concealment activity which had been contained in the February document. The Prime Minister had not said that the Leader of the Opposition had been briefed specifically on either of the two documents. Questioned about the second briefing, the PMOS said that it had taken place after the February document had been published. He repeated that the Opposition Leader had been briefed on the intelligence contained in the document, not on the document itself.

Asked if new intelligence in the February document amounted to just 10% of the whole thing, the PMOS said that the FAC had put forward the figure in their report. We did not accept it. We would respond on that point of detail in our reply to the report. Questioned as to whether the 10% figure was roughly accurate, the PMOS said that he did not recognise the figure. Put to him that the Prime Minister had indicated that new intelligence had been included in the document, the PMOS said that further intelligence had indeed been included. This had been supplied by the Security and Information Service which, as we had said repeatedly, they had authorised for use in this way. Asked if that intelligence had been shared with the Leader of the Opposition in the light of the fact that his last briefing had been in September, the PMOS said that the Opposition Leader had been briefed on the intelligence relating to concealment activities after the document had been published.

Asked when Jack Straw had apologised for the February document, the PMOS said that Mr Straw had apologised during his FAC evidence session.

as had Alastair Campbell. He suggested journalists went back and checked the FAC record.

BBC

Asked if Geoff Hoon had received a reply to his letter from the BBC, the PMOS said no. The letter had only been sent at lunchtime today. He reminded journalists that we were not asking the BBC to reveal the name of their source. All we wanted to know was whether we were wrong about the person who had come forward and identified himself voluntarily. Everyone in public life made mistakes. That was a fact of life. Usually those mistakes were acknowledged and corrected. The BBC was a public service broadcaster and no doubt operated on the same standards. We assumed that they would want to set the record straight in this case too now that they had received the relevant information from Mr Hoon.

Put to him that the person who had come forward could not be the BBC's source because he did not fit Andrew Gilligan's criteria, the PMOS said that if today's Daily Telegraph report was correct and the BBC had briefed privately that Mr Gilligan had met his source at a central London hotel on 22 May, it was perfectly legitimate for us to ask how many more people he had met on that date at a central London hotel. Since the individual involved had already revealed his identity, it was no defence to refuse to answer the question on the grounds of betraying confidentiality. All we wanted to know was whether the person was the BBC's source or not. It was a pretty simple question to answer. Put to him that it was in fact a question of betraying confidentiality because there were already strong indications showing that the person who had come forward was not the BBC's source, the PMOS said he would disagree. The person had said that he had met Mr Gilligan on 22 May at a central London hotel. Put to him that the person had also admitted that they had not talked about any of the issues which Mr Gilligan had insisted he had talked about with his source, the PMOS said that that was completely untrue. They had spoken about the 45-minute claim and whether Alastair Campbell had been involved in the decision to insert the information in the September dossier. Put to him that it was Mr Gilligan himself who had raised the issues, the PMOS said that Mr Gilligan had told the FAC that he had only talked to one source about the 45-minute claim. He had talked to other people about other matters. If the person who had come forward was not the source, it should be asked why Mr Gilligan had not mentioned him in his FAC hearing.

In answer to further questions, the PMOS said it had been suggested that Downing Street was currently engaged in a 'knocking down process', meaning that we would knock down each name that came up. That was untrue. The whole situation boiled down to the fact that the person in

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question had come forward and had said that he had met Mr Gilligan on 22 May at a central London hotel. How many people did Mr Gilligan meet at a hotel in central London on that date? Asked how we could be so sure that this person had met Mr Gilligan at the time and place he had stated, the PMOS said that we were sure because the person had said so. Put to him that we appeared to be relying on a single source again, the PMOS pointed out that we were relying on a single source who had no motivation to reveal the truth. This was someone who had put his belief in public service above the implications for his career. He had clearly believed it was his duty and public service responsibility to come forward and admit what he had done. This was something which should be recognised in the spirit in which it had been done, rather than treated cynically. Although we had been very careful not to rush to judgement in terms of whether he was the BBC source, it was perfectly legitimate for us to ask the BBC whether he was or not. If he was, we were entitled to ask why there was a discrepancy over his status. If he was not the source, we invited the BBC to tell us we were wrong.

Asked if we would come up with another name to put to the BBC if it turned out that the person who had come forward was not their source, the PMOS said that if this person was the source, then his status was not that which had been originally claimed. He was not someone who had access to the intelligence which had been included in the dossier. Nor had he been one of those who had put the document together. Consequently, it was clear that he was not in a position to make the claim the BBC had asserted he had made. The BBC had always defended the reporting of the allegation by saying that it was the source who had made the claim, not them. However, given this person had said that he had not made those claims and had not been in a position to make them, it questioned the legitimacy of the original allegation. Equally, if this person was not the source, why had Mr Gilligan told the FAC that he had only discussed the September dossier with one person? Why had he not said he had discussed it with a variety of people given the fact that the person who had come forward had said that he had met Mr Gilligan on the same day Mr Gilligan was reported to have met his source.

Questioned as to whether Geoff Hoon had written his letter to the BBC in green ink given Downing Street's apparent obsession with the whole issue, the PMOS said that on the day Mr Gilligan had made his charge, people had said that the allegation went right to heart of the integrity of the Government. The claim was the most serious that could be made against any Government. We therefore hoped that it had not been made lightly or falsely and that the claims made about the status of the person who had made the charge were correct. If not, it was surely the duty of any journalist, particularly a public service broadcaster, to make it clear that a mistake had

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been made. We recognised that people were bored with this story. So were we. However, because such a serious allegation had been made and because, in the end, it all boiled down to journalistic standards, it was clearly important for the record to be set straight.

Asked why the news that someone had come forward had been kept under wraps by the MoD for five days, the PMOS said that the MoD had wanted to make sure that the person was treated properly in accordance with MoD personnel procedures. We had also wanted to be certain that we were on sure ground. Consequently, we believed the timescale had been right. It had been suggested cynically last night that we had delayed the announcement until 6.03pm in order to get the foundation hospital vote out of the way. That was completely untrue. The real reason for the delay was because the person concerned had been travelling on a motorway and had wanted to get to a service station so that the MoD could read out the statement to him and make sure that he was happy with it. We hoped that gave some indication of the care with which we had approached this issue so as to ensure that the proper procedures had been followed and that we were not saying anything which we could not stand up. Put to him that the service station story did not explain why the news of the person's existence had been delayed for five days, the PMOS said that the person had been closely involved all the way through with the preparation of the statement. It had been only right that he should have had the final version read out to him. This was an indication of the care the MoD had taken in approaching this matter.

Asked to respond to reports that the person had not come forward voluntarily but had been reported to a line manager by a colleague who had seen him reading Mr Gulligan's stories in the papers with rather too much interest, the PMOS said that as he understood it, the person had come forward voluntarily. He had no intention of getting drawn into the precise circumstances in which he had decided to come forward. That was entirely a matter for the person himself.

Asked if the person who had come forward was a man, the PMOS said that journalists had a 50% chance of being right. Asked whether he had been suspended from his job, the PMOS declined to get into MoD personnel matters. Put to him that the person did not work for the MoD, the PMOS said that the person was a technical expert who had worked for a variety of Government Departments, including the MoD with whom he was currently working. His salary was paid by another Department. Asked if it was correct to describe the person as being on secondment to the MoD, the PMOS said that the nature of his work meant that he was more of a consultant than a secondee. Asked why we were so reluctant to say which Department paid his salary, the PMOS said that providing this information would make it

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easier to identify him given the fact that there were only a few people who were paid a salary by this particular Department but who worked for other Departments. Asked if he was paid by the FCO, the PMOS declined to answer the question on the grounds that he did not want to do anything which might identify who the person was.

Asked if the person would be identified and go public with his claims if the BBC refused to respond to our question, the PMOS said he was not aware of any such plan. However, it would be strange if the BBC did not take the opportunity to say if we were wrong or set the record straight if what they had reported was in any way misleading about the status of their source. It was up to them. It was not every day that we invited the BBC to tell us we were wrong. They usually did that of their own accord anyway - as, of course, was their right and constitutional duty (some would say that they took advantage of that on a frequent basis). Equally, if a mistake had been made in elevating the status of someone who had made such a serious allegation, then most people in public life would regard it as incumbent on them to set the record straight.

Asked what we would do if the BBC admitted that the person who had come forward was their source given the clear discrepancies in the way we and Mr Gilligan had presented his status, the PMOS said that the status of the source and the question as to whether they had been in the loop or not was the vital factor. The clear assertion by the BBC was that their story had been based on the comments of a senior intelligence source. This was not a description that could be attributed to the person who had come forward. He was not a member of the Senior Civil Service or of the Security and Intelligence Service. Nor was he involved in military intelligence. This therefore called into question both the claims that had been made on his behalf and the BBC Governors' view as expressed in their meeting on Sunday that the normal rules about single sourcing did not apply in this case because it was a senior intelligence source. Asked if it was right to say that the person involved was an acknowledged expert on WMD who had worked for several Government Departments, the PMOS said that he was a technical expert. Put to him that if the person was an expert on WMD, which was an intelligence-led field, he could easily be described as a senior intelligence source, the PMOS said he would disagree. Asked for his definition of a 'senior intelligence source', the PMOS said that there was a difference between someone who was a technical expert on machinery and equipment and someone who had intelligence information about what was happening in a particular country in relation to that equipment. The person in question was a technician - a technical expert - not an intelligence official, and that was not in any way to demean or under-estimate his role.

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