

Hutton Inquiry Team

From: Robert Aitken [RAitken@treasury-

Sent: 21 October 2003 16 05

Subject: RE Annex, Sir Kevin Tebbit

Dear Martin,

Please find attached ANNEX for Sir Kevin Tebbit.

Kind regards,

Robert
21/10/03

27/01/04

FSB/11/0001

HUTTON INQUIRY

ANNEX: SIR KEVIN TEBBIT

17 10 2003

The MoD press statement

- 1 The decision to issue a press statement was taken at a meeting on the morning of 8 July chaired by the Prime Minister and attended by Sir David Manning, Sir David Omand, Mr Scarlett, Mr Powell and Mr Campbell. Sir Kevin was not present at that meeting. When he arrived at No 10 he was informed by the Prime Minister that the meeting had just finished and that Jonathan Powell would brief him on what had been decided (Day 25 pp. 18 – 20)
- 2 Jonathan Powell informed Sir Kevin that a decision had been taken to issue a statement that day and that colleagues were beginning to draft on that basis. Sir Kevin concurred with the decision that had been taken although he was not party to it. After briefing Sir Kevin on the approach that was being taken, Mr Powell suggested that he and Sir Kevin went to the room where the drafting was being done (Day 8 p 87; Day 25 pp 18 – 19).
3. Mr Campbell, Mr Kelly, Mr Smith, Mr Scarlett, Mr Powell and Sir Kevin prepared a draft statement in Godric Smith's office. The draft statement was typed up on Mr Smith's computer by Mr Campbell. Those present, including Sir Kevin, were collectively responsible for the draft statement (CAB/1/70-71) prepared at that meeting (Day 25 p 20).
4. Sir Kevin returned to the MoD with the draft statement. In oral evidence, he explained his understanding of what had been decided and what he was being asked to do.

“But as far as I was concerned, it was clear the Government, through the Prime Minister, had decided that a statement should be issued

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broadly along the lines of this, but that we first needed to make sure it was something that Dr Kelly would accept ” (Day 25 p. 22)

5. At the MoD, a small number of minor amendments were made to the draft statement. A comparison of the draft statement (CAB/1/70-71) with the final version of the statement (MOD/1/67) reveals that the following changes of substance were made at the MoD

- (i) The final paragraph about the BBC (CAB/1/71) was deleted;
- (ii) The paragraph stating that, as far as the official was aware, Mr Gilligan had not attempted to contact him since 29 May, was deleted;
- (iii) The reference to the official not being a member of the Senior Civil Service was deleted;
- (iv) The reference to the official not being a member of the Defence Intelligence Staff was re-inserted – the phrase “he is not a member of the Intelligence Services or the Defence Intelligence Staff” had been added in manuscript by Mr Howard prior to the contingent press statement being agreed with Dr Kelly on 7 July (TVP/3/302);
- (v) The statement that the official “says he did not see the 45 minute intelligence report” was moved from the third paragraph to the fifth paragraph.
- (vi) The phrase “it was an unauthorised meeting” was inserted at the suggestion of Mr Hatfield.

6. It was not realistically open to Sir Kevin to make more substantial amendments to the draft statement prepared at No 10. In particular, it was not realistically open to him to reduce the level of detail provided in the draft statement about the official who had come forward. Sir Kevin had been aware since 7 July that No 10 considered that any press statement needed to be detailed

“Jonathan Powell took the view that if we made a statement, we would need to be able to stand it up fully in public to explain why it was we were bringing forward this information and that we would need to

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explain that the status of the individual was such as to render it highly improbable that he could authoritatively have made the allegations that were central to Gilligan's broadcast, as well as the denial that he actually made those statements" (Day 25 p 13)

- 7 Sir Kevin asked Mr Hatfield to clear the final version of the press statement with Dr Kelly, which Mr Hatfield duly did. In oral evidence, Sir Kevin stated that:

"Had Dr Kelly said, 'I am not happy with it' or, 'I want to discuss it further' or, 'I am concerned about the implications of this statement' . . . I have no doubt whatsoever we would have discussed it with him and explained to him the reasons why it was necessary for the Government to come forward with a statement of this kind. As it happened, that was not necessary. But I think we could only have delayed it a matter of hours. The sense in No 10 was we really did need to come forward with a statement." (Day 25 pp 23 - 24)

8. The decision on the timing of the publication of a statement which did not name Dr Kelly had been taken at the meeting chaired by the Prime Minister on the morning of 8 July. Sir Kevin's understanding was that:

- (i) A factor which had particularly influenced the decision on timing was that officials, beginning with Mr Scarlett, were due to start giving evidence to the ISC on Wednesday 9 July (Day 25 pp. 14, 111). This was combined with a growing concern that, if the story were to break before any statement had been issued, the Government would be accused of having withheld it from the FAC (Day 25 p. 19)
- (ii) The degree of likelihood as to whether Dr Kelly was Mr Gilligan's claimed single-source was such that a statement needed to be made but was not such as to enable Dr Kelly to be named in the statement (Day 25 pp 22 - 23, 45)

9. Sir Kevin concurred with the decision on the timing of the statement and the fact that it should not name Dr Kelly. The final version of the press statement was approved by the Secretary of State for Defence before it was issued

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10. Sir Kevin relies on his Memorandum and on the relevant parts of the Government's main submissions in support of his contention that there should be no criticism of the decision to issue the press statement on 8th July or its content nor should he be criticised for his part in drafting it.

The Q&A document

11. Sir Kevin had no involvement in the drafting of Q&A documents and did not see the earlier drafts of the Q&A at the time. He approved the final version of the Q&A when it was shown to him on the afternoon of 8 July. In doing so, he focussed on the proposal that the press office would confirm Dr Kelly's name if it were put forward by journalists. Sir Kevin subsequently informed the Secretary of State for Defence of the approach being adopted. The Defence Secretary approved it.
12. Sir Kevin relies on his Memorandum and on the relevant parts of the Government's main submissions in support of his contention that there should be no criticism of the Q&A brief and that he should not be criticised for approving it.

The support provided to Dr Kelly

13. Sir Kevin never met Dr Kelly and had no knowledge of him before this incident. Nevertheless, once Dr Kelly came forward, Sir Kevin took a personal interest in his welfare:
- (1) He asked Mr Hatfield to conduct the first interview of Dr Kelly because of Mr Hatfield's experience as Personnel Director and because he had no involvement in the dispute between the Government and the BBC (Day 25 p. 1)
 - (2) On 9 July, he enquired whether the press office had been in contact with Dr Kelly and was informed that it had been (Day 25 p. 30)

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