

Our Ref . A279/SZW/540822 1/FSI-1848804-1

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Your Ref . 4/0029

## Finers Stephens Innocent

Date . 15 October 2003

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FAO Martin Smith, Solicitor  
The Rt Hon Lord Hutton  
The Hutton Inquiry  
2nd Floor  
81 Chancery Lane  
London  
WC2A 1DD

Dear Sirs

### **Factual Inaccuracies Arising From BBC Submission In Reply**

Thank you for your letter dated 13<sup>th</sup> October 2003 enclosing the parties' Submissions outlining "factual inaccuracies" in written submissions.

We note that you do not invite further representations in this respect, however, our client's evidence having been misrepresented in the BBC's Submissions in Reply, we are constrained to correct an inaccuracy.

We refer to paragraph 2 on pages 1 and 2 of the BBC's Submissions in Reply. We do not propose to repeat our client's submission regarding the proper interpretation of David Kelly's conversations with her. We note however that the BBC has extracted snippets from the conversation with our client on 30 May 2003, which was tape recorded, in support of its contention that Dr Kelly said to Ms Watts that the Dossier had been the subject of "political interference". Our client has challenged that contention insofar as the BBC would seek to draw it or interpret it from her discussions with Dr Kelly.

However, the factual inaccuracy of which Ms Watts now complains is the assertion by the BBC on page 2 of its Submissions in Reply that "[various quotes] ... are redolent of political interference (as described by Ms Watts herself in the broadcast of 2<sup>nd</sup> June as "Downing Street interference"). This alleged description is footnoted as per broadcast transcript.

At no time did Ms Watts ever use these words or imply in her broadcast that Downing Street had *interfered* with the Dossier, nor does the transcript of the broadcast make any such reference.

We request that the Inquiry refer to the transcripts (and indeed the video recording) of her Newsnight broadcasts dated 2<sup>nd</sup> June 2003 and 4<sup>th</sup> June 2003 respectively. The correct reference to Ms Watts' statement is her interpretation of Dr Kelly's views (as opposed to words that he specifically used) contained in her piece to camera in the 2<sup>nd</sup> June 2003 broadcast as follows:-

WATTS:

*But in some cases, anonymous sources can be the only way to gain an insight into the intelligence world. We've spoken to a senior official intimately involved with the*

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*process of pulling together the original September 2002 Blair weapons dossier. We cannot name this person because their livelihood depends on anonymity. Our source made clear that in the run-up to publishing the dossier, the Government was obsessed with finding intelligence on immediate Iraqi threats. The Government's insistence the Iraqi threat was imminent was a Downing Street **interpretation** of intelligence conclusions. His point is that while the intelligence community was agreed on the potential Iraqi threat in the future, there was less agreement about the threat the Iraqis posed at that moment. Our source said: ... [quote Dr Kelly anonymously.]*

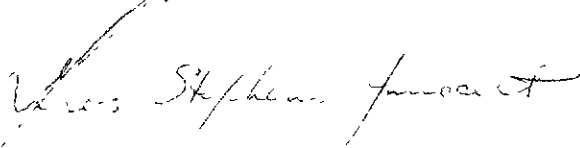
At no time did Dr Kelly suggest to Ms Watts that there had been improper political interference and he did not ever use the word "interference", nor did Ms Watts.

We trust that the BBC's factual inaccuracy can be noted for the record

### Publication of Parties' Submissions

We note Lord Hutton's intention to publish the parties' final submissions on the website. Our client has no objection to the publication of her submissions dated 2 and 4 September 2003 respectively and of this letter; indeed she considers that they should be published in circumstances where reference is made to her work product, evidence and submissions by the other parties in their more recent submissions. As it transpires, Ms Watts September submissions proved to be her final comments, save for this letter.

Yours faithfully



**Finers Stephens Innocent**

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