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D/Personnel Dir/14/9 (382/03)

7 July 2003

PS/PUS

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GILLIGAN ALLEGATIONS: INTERVIEW WITH DR DAVID KELLY

I attach my summary record of my interview with Dr Kelly about his letter dated 30 June 2003 admitting that he had met Andrew Gilligan and discussed Iraq. I also attach my more detailed comparison of Dr Kelly's account with the evidence given by Gilligan at the FAC hearing.

Assuming that Kelly's account is accurate, he did not divulge any classified or privileged information, although he was certainly drawn into offering unwise personal comment. This is, of course, precisely why we require people to seek authorisation for any contacts with journalists which relate to official business and, if they do talk to them, to report back on what had passed. Kelly clearly failed to do so on this (and some other occasions) and there is absolutely no doubt that he was in breach of departmental rules, as well as straying outside the standards expected of civil servants. He appears to have believed, partly as a result of his previous role as a background briefer for the UN, that he was both entitled and able to judge for himself whether he could respond to requests for journalists and others for such briefings. He was wrong on both counts.

Nevertheless, apart from the very unwise comment, he appears to have said no more than he or others working for MOD might have said at a public seminar, such as the one held by IISS last September.

Provided that nothing comes to light to cast doubt on Kelly's account, I do not believe that it would be appropriate to instigate formal disciplinary action, not least because the likely penalty would be a formal written admonishment which is essentially what I will be giving him anyway.

I have made it clear to him that his conduct falls below what I would have expected of someone in his position and that it has had serious albeit unintended

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consequences. I have also made it clear that any further breach of the guidance about contact with the media would be very serious indeed and almost certain to lead to disciplinary action, regardless of the substance of that contact

I will be following up with a letter which clearly records this and which will be placed on his file.



RICHARD HATFIELD

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