

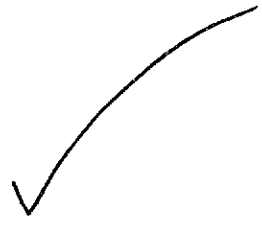
CDI 2/25

18 July 2003

PS/Secretary of State  
through PS/PUS

Copy to.

PSO/CDS  
PS/2<sup>nd</sup> PUS  
Policy Director  
Personnel Director  
CDI  
AMP  
DGCC  
Parliamentary Clerk  
Cabinet Office – Sir David Omand  
Cabinet Office – John Scarlett



**IRAQ AND WEAPONS OF MASS DESTRUCTION : ISC HEARING**

Issue

1. The ISC is likely to probe the Secretary of State and the former CDI about the process through which members of the DIS can express concerns about the misuse of intelligence; and on whether it was used at the time of the September dossier. How should we respond?

Recommendation

2. That the Secretary of State:
- a. Agrees that we should remind the Committee that, like other members of MOD, DIS staff have the right to raise concerns about the misuse of intelligence through the line management channel ultimately to PUS and then to the Cabinet Secretary.
  - b. Notes that in the course of the extensive debate across the intelligence community at the time of the dossier, two members of DIST expressed concern to their immediate line management about the precise wording of some parts of it
  - c. Notes that these concerns were fully aired as part of the process of reaching consensus within the DIS and within the JIC, and that the individuals concerned acknowledge that they did not have access to some particularly sensitive intelligence which had also been taken into account in reaching final decisions on the wording of the dossier.

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d. Agrees that if the ISC raise this (as seems very likely) S of S, or the former CDI, should respond along the lines of the attached speaking note (Annex B) and that if it is not raised you should write to the Clerk in similar terms

e. Agrees that we should resist any calls from the ISC to disclose the identities of the individuals concerned, call them as witnesses or have access to their written comments to line management

### Timing

3. Urgent The Secretary of State, the Policy Director and the former CDI are due to give evidence on 22 July.

### Background

4. During Sir David Omand's evidence session with the ISC on 16 July, he was asked about the processes by which staff in the intelligence agencies can express concerns about the possible misuse of intelligence, and whether those processes had been used in connection with the September dossier on Iraq's WMD. He explained the role that the Staff Counsellor plays in respect of Intelligence Agency staff who wish to raise concerns. He was asked a similar question about the DIS and said that this was a matter for the Defence Secretary and that he would pass this point on to MOD.

5. At the time of dossier, the DIS, like the rest of the intelligence community, was heavily involved in commenting and contributing to successive drafts of what became the dossier published in September 2002. These discussions were very complex and detailed right up to the last minute. As an example, I attach some 6 pages of working level comments which were passed by the DIS to the Assessments Staff on 17 September. In the course of this debate two individuals in DIST (one of whom is still in post and one of whom has retired) raised in writing some specific concerns about the precise wording on issues relevant to their areas of expertise. These did not raise objections to the use of material but were more about the description to be used (intelligence shows, indicates or suggests). I attach copies of the relevant minutes. I also attach at Annex A an analysis by the Assessments Staff as to why their concerns were in the end not fully reflected in the final version of the dossier.

6. The speaking note at Annex B sets this out and is for use if the ISC raise the issue. It stresses that, although some individuals did express concern to their line management, this was, in effect, part of the usual process of debate and argument over assessment which goes on regularly within the DIS and within the broader intelligence community as a prelude to a consensus view being reached by the JIC. The Committee may ask the identity of the individuals who have expressed concerns or even call them as witnesses. They may also ask to see the notes written by them. I believe we should resist this on the same grounds, namely, that the concerns were aired in the context

of the customary debate between analysts about precise content and wording of any assessment

Presentation

7. ISC evidence sessions are private, but it is possible that this may leak. In that case, we should take the line set out above – that, like any other assessment, the precise wording and content of the dossier was subject to vigorous debate between and among intelligence community analysts, and that all these concerns were fully aired in the course of that debate and in the run up to final consensus being reached through the JIC process. If pressed, we could go on to say that all intelligence assessments contain large elements of judgement – indeed that is their purpose – and that it is not always possible to incorporate the differing views of what can be a large number of individual analysts. That is the case with any JIC assessment and the dossier was no exception. This is why we have the JIC to act as the final, senior level, arbiter on these issues. -

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