



Oral evidence

Taken before the Foreign Affairs Committee on Tuesday 15 July 2003

Members present:

Donald Anderson, in the Chair	
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Witness: DR DAVID KELLY, Special Adviser to the Director, Counter-proliferation and arms control, Ministry of Defence, examined.

Q1 Chairman: Dr Kelly, may I welcome you back to the Committee. I understand you actually gave evidence to us in our inquiry with the Foreign Secretary, you were an adviser then to the non-proliferation department.

Dr Kelly: Correct.

Q2 Chairman: You were a former Porton Down scientist, a former UNSCOM arms inspector in Iraq, you are presently acting as an adviser to the Ministry of Defence's Director of counter-proliferation and arms control. I understand the Ministry of Defence pays your salary but the Foreign Office reimburses the Department for staff costs as part of its wider support for UN inspections in Iraq and counter-proliferation policy. Is that correct?

Dr Kelly: That is absolutely right.

Q3 Chairman: Let me now turn to your involvement in the September 24 dossier. You know, I believe, the evidence that we have received from Mr Gilligan of the BBC, that essentially the story that began the fuss came from a single source. He said on the *Today* programme on 29 May: "I have spoken to a British official who was involved in the preparation of the dossier and he told me that until the week before it was published the draft dossier produced by the

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intelligence services adds little to what was already known. He said 'It was transformed the week before it was published to make it sexier'. The classic example was the statement that WMD were ready for use in 45 minutes. That information was not in the original draft. It was included in the dossier against their wishes because it wasn't reliable." He again described his source as "a civil servant in the non-secret part of the Civil Service as distinct from the secret part". Presumably that might cover you.

Dr Kelly: It might.

Q4 Chairman: And "one of the senior officials in charge of drawing up the dossier and I can tell you that he is a source of longstanding, well-known to me, closely connected with the question of Iraq's weapons of mass destruction, easily sufficiently senior and credible to be worth reporting." Before I call on Mr Hamilton to continue, can I just ask this: can you describe your background as a civil servant and an UNSCOM inspector; and what was your position between March of last year and September of last year when the dossier was published? That is, what was your position at the relevant time?

Dr Kelly: My background is that I am a scientist, I was once head of microbiology at Porton Down, but for the last decade I have been involved in advising both the Foreign Office and the Ministry of Defence on Iraq, its weapons of mass destruction and the United Nations' inspection approach towards disarmament and monitoring.

Q5 Chairman: Specifically between March and September of last year?

Dr Kelly: The position had not changed as it was for the past four years. Essentially I was the senior adviser to the proliferation and arms control secretariat carrying out essentially the function I have since UNSCOM ceased to exist in 1999.

Q6 Mr Hamilton: Dr Kelly, may I ask what was your involvement in the preparation of the September dossier?

Dr Kelly: My involvement was writing an historical account of the UNSCOM inspections and providing input into Iraq's concealment and deception.

Q7 Mr Olnier: Dr Kelly, could I ask you to speak up a bit, there are fans running.

Dr Kelly: I will try.

Mr Olnier: I am sure members of the public at the back cannot hear you.

Q8 Mr Hamilton: May I ask when you started work on the part of the

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dossier that you were responsible for?

Dr Kelly: I believe I contributed in May and June.

Q9 Mr Hamilton: Just over those two months?

Dr Kelly: Yes.

Q10 Mr Hamilton: Can I ask whether you had any access to secret intelligence material when you were writing your piece in those two months?

Dr Kelly: I always have access to such material, yes, but it did not form part of the contribution to those pieces that I wrote. That information was derived from my records as a UN inspector.

Q11 Mr Hamilton: Let me be clear: you saw the intelligence that was subsequently used to compile the dossier?

Dr Kelly: I am familiar with some of the intelligence that went into the dossier, but not all of it.

Q12 Mr Hamilton: But you would have seen quite a range of intelligence that did form part of that dossier?

Dr Kelly: I see the intelligence which is relevant to my expertise which is in the area of chemical and biological weapons, and I am alerted to relevant intelligence.

Q13 Mr Hamilton: Did you see any of the JIC assessments that formed the basis of the original March dossier that was not published and subsequently the September dossier to which you contributed?

Dr Kelly: That is not an easy question to answer. I really cannot recall. I am familiar with the JIC assessments but I cannot remember whether I saw one in March, but it is likely, yes.

Q14 Andrew Mackinlay: It is likely?

Dr Kelly: It is likely, yes.

Q15 Mr Hamilton: May I ask which drafts of the final September dossier did you see and were drafts sent back to you at every stage for your comment?

Dr Kelly: No, I was not involved in that process at all.

Q16 Mr Hamilton: So you made your contribution and that went into it subsequently?

Dr Kelly: Yes. My contribution was not to the intelligence dimension.

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Q17 Mr Hamilton: Can I ask what meetings you attended at which the dossier was discussed?

Dr Kelly: I attended no meetings at all at which the dossier was discussed.

Q18 Mr Hamilton: So you were asked to prepare a section?

Dr Kelly: I was.

Q19 Mr Hamilton: You prepared that section, you had access to the relevant intelligence material and that was submitted to the person compiling the dossier?

Dr Kelly: The component that I wrote did not require intelligence information, let us get that straight. It was not the intelligence component of the dossier, it was the history of the inspections, the concealment and deception by Iraq, which is not intelligence information.

Q20 Mr Oliner: Dr Kelly, could you speak up, please. The problem is these microphones do not amplify the noise.

Dr Kelly: I apologise. I have a soft voice, I know.

Q21 Chairman: One final question under this heading. Presumably you did discuss this with other colleagues who were involved themselves in the preparation of the dossier, so you knew what was going on?

Dr Kelly: I was familiar with some of it. Actually I was either on leave or working abroad in the August and early September of that time frame. That component, no, I really was not involved.

Q22 Mr Chidgey: I just want to move on to the section of our inquiry dealing with contacts with Andrew Gilligan and journalists, but before we talk about Andrew Gilligan can I just confirm that you have also met Susan Watts?

Dr Kelly: I have met her on one occasion.

Q23 Mr Chidgey: Thank you. I would just like to read out to you a statement in the notes that were made: "In the run-up to the dossier the Government was obsessed with finding intelligence to justify an immediate Iraqi threat. While we were agreed on the potential Iraqi threat in the future there was less agreement about the threat the Iraqis posed at the moment. That was the real concern, not so much what they had now but what they would have in the future, but that unfortunately was not expressed strongly in the dossier because that takes the case away for war to a certain extent". Finally, "The 45

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minutes was a statement that was made and it got out of all proportion. They were desperate for information. They were pushing hard for information that could be released. That was one that popped up and it was seized on and it is unfortunate that it was. That is why there is an argument between the intelligence services and Number 10, because they had picked up on it and once they had picked up on it you cannot pull back from it, so many people will say 'Well, we are not sure about that' because the word smithing is actually quite important." I understand from Miss Watts that is the record of a meeting that you had with her. Do you still agree with those comments?

Dr Kelly: First of all, I do not recognise those comments, I have to say. The meeting I had with her was on November 5 last year and I remember that precisely because I gave a presentation in the Foreign Office on Iraq's weapons of mass destruction. I cannot believe that on that occasion I made that statement.

Q24 Mr Chidgey: That is very helpful. Can I just be clear on this: I understand that these notes refer to meetings that took place shortly before the *Newsnight* broadcasts that would have been on 2 and 4 June.

Dr Kelly: I have only met Susan Watts on one occasion, which was not on a one-to-one basis, it was at the end of a public presentation

Mr Chidgey: Thank you very much, that is very helpful.

Q25 Andrew Mackinlay: What other journalists have you met since 2002 onwards?

Dr Kelly: You mean physically met face-to-face?

Q26 Andrew Mackinlay: Yes, precisely I mean not at an authorised briefing but any time outside an authorised briefing where there is a group of people, the one-to-one?

Dr Kelly: I am afraid at the moment I cannot list that but if you would like to make a formal request to the Ministry of Defence they will respond to you. Basically the list is very few people.

Q27 Andrew Mackinlay: So you could phone the clerk later tonight with the list precisely, could you, to the best of your recollection?

Dr Kelly: I think it is something that should be formally requested of the Ministry of Defence.

Q28 Andrew Mackinlay: Well, I disagree because it is a matter of who you met, it cannot be state secrets, can it?

Dr Kelly: It is not state secrets at all but I have an accurate record of

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who I have met and I will have to consult my diaries.

Q29 Andrew Mackinlay: Could you do that over the next 24 hours?

Dr Kelly: No, because at the moment I am pursued by the press and I do not have access to my home.

Q30 Andrew Mackinlay: When could you do it by?

Dr Kelly: I could do it by the end of the week but the request should be made to the Ministry of Defence.

Q31 Andrew Mackinlay: I will worry about who the request has got to be made to, but in principle you will provide that for this Committee before Thursday?

Dr Kelly: I will provide it to the Ministry of Defence.

Q32 Andrew Mackinlay: Okay. You met Gilligan, I think, for the first time about two and a half years ago?

Dr Kelly: Not to my recollection. The first time that I remember meeting him was at a meeting in September of last year.

Q33 Andrew Mackinlay: September 2002?

Dr Kelly: Correct.

Q34 Andrew Mackinlay: How many times have you seen him since?

Dr Kelly: Twice.

Q35 Andrew Mackinlay: On what occasions?

Dr Kelly: A day in February, a date I cannot remember, I am having difficulty locating it, and the now infamous May 22 meeting.

Q36 Andrew Mackinlay: Of this year?

Dr Kelly: Of this year.

Q37 Andrew Mackinlay: In the period you have known him, how frequently have you had telephone contact with him and/or e-mail or other communications?

Dr Kelly: I do not believe I have ever had e-mail contact with him and very few telephone conversations.

Q38 Andrew Mackinlay: Which documents have you shown him?

Dr Kelly: I have shown him none whatsoever.

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Q39 Andrew Mackinlay: When you met Mr Gilligan on any of these occasions, was he fully aware of the extent of access you had to intelligence information?

Dr Kelly: I would not think so, he would not have got it from me.

Q40 Chairman: Were any of your contacts authorised by the Ministry of Defence?

Dr Kelly: My primary authorisation is through the Foreign Office: some were authorised and some were not, some were informal.

Q41 Chairman: What did you think the motives were of Mr Gilligan and others in seeking to contact you?

Dr Kelly: Are we talking specifically of Mr Gilligan?

Q42 Chairman: Yes.

Dr Kelly: The approach by Mr Gilligan was to consult with me before his visit to Iraq as a broadcaster. He wished to know certain aspects of Iraq, the UNMOVIC inspection process, some of the personalities that are associated with the programme should he encounter them, some of the sites that are involved in the programme. You may remember that just before the war the Iraqi Government was inviting journalists to visit the sites so they could see, according to Iraqi claims, that there was no illicit activity occurring.

Q43 Ms Stuart: I may not have heard something you said in response to Mr Chidgey's question. You did confirm that you had a meeting and talked with Susan Watts?

Dr Kelly: I have met with her personally once at the end of a seminar I provided in the Foreign Office on November 5.

Q44 Ms Stuart: You have neither met nor talked to her since?

Dr Kelly: I have spoken to her on the telephone but I have not met her face-to-face.

Q45 Ms Stuart: When have you talked to her on the telephone?

Dr Kelly: I would have spoken to her about four or five times.

Q46 Ms Stuart: During May at all?

Dr Kelly: During May? I cannot precisely remember. I was abroad for a fair part of the time in May, but it is possible, yes.

Q47 Ms Stuart: Have you had any conversations or meetings with

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Gavin Hewitt?

GH

Dr Kelly: Not that I am aware of, no. I am pretty sure I have not.

Q48 Mr Olnier: Mr Gilligan's article in the *Mail on Sunday* of 1 June states that the location of your meeting was a central London hotel and that you were waiting for Mr Gilligan when he got there. At whose request did that meeting take place between you and Mr Gilligan?

Dr Kelly: Mr Gilligan.

Q49 Mr Olnier: Any idea why he requested it?

Dr Kelly: For the reasons that I offered to the Chairman. Sorry, which one are we talking about?

Q50 Mr Olnier: The one on 22 May.

Dr Kelly: The outcome of the first meeting I had with him in February was that he would provide me with feedback from his visit to Iraq, since I am interested in Iraq, interested in other people's perspectives on Iraq and the process. That was the reason for meeting with him, to get feedback on that visit.

Q51 Mr Olnier: Was this not a two-way process, that you wanted also to communicate other things to Mr Gilligan?

Dr Kelly: No.

Q52 Mr Olnier: It was simply a journalist fishing for information that you had got and you wanted to give to him?

Dr Kelly: No, it was an occasion on which I expected to get information about Iraq, about some of the personalities that he either had encountered or attempted to encounter, his experiences during the war itself and the experiences he had with Iraqi minders when he was acting as a journalist before the war.

Q53 Mr Olnier: Obviously you have read Mr Gilligan's accounts of the meeting, including the evidence that he gave to this Committee. Is there anything in Mr Gilligan's accounts that you dispute?

Dr Kelly: I think you would have to ask me the specific question.

Q54 Mr Olnier: You have obviously read it.

Dr Kelly: I have read it.

Q55 Mr Olnier: Is there anything there that suggests Mr Gilligan was perhaps being careful with the truth?

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Dr Kelly: It is not a factual record of my interaction with him, the character of it, which is actually difficult to discern from the account that is presented there. It is not one that I recognise as being conversations I had with him. There was one part of it which alerted me to that, which was the comment about the 30 per cent probability of Iraq actually possessing chemical weapons, that is the sort of thing I might have said to him.

Q56 Mr Olnier: Really Mr Gilligan's story was basically about drafts of dossiers being changed, being "sexed-up". Did you infer to Mr Gilligan in any way, shape or form that he might have misrepresented what you said?

Dr Kelly: My conversation with him was primarily about Iraq, about his experiences in Iraq and the consequences of the war, which was the failure to use weapons of mass destruction during the war and the failure by May 22 to find such weapons. That was the primary conversation that I had with him.

Q57 Mr Olnier: You certainly never mentioned the "C" word that he went on to explain in his column?

Dr Kelly: The "C" word?

Q58 Mr Olnier: The Campbell word.

Dr Kelly: The Campbell word did come up, yes.

Q59 Mr Olnier: From you? You suggested it?

Dr Kelly: No, it came up in the conversation. We had a conversation about Iraq, its weapons and the failure of them to be used.

Q60 Mr Olnier: How did the word "Campbell" come to be mixed up with all of that? What led you to say that?

Dr Kelly: I did not say that. What I had a conversation about was the probability of a requirement to use such weapons. The question was then asked why, if weapons could be deployed at 45 minutes notice, were they not used, and I offered my reasons why they may not have been used.

Q61 Chairman: Again, I am finding it very difficult to hear. The fans have been turned off, could you do your very best to raise your voice, please.

Dr Kelly: It came in in that sense and then the significance of it was discussed and then why it might have been in the dossier. That is how it came up.

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Q62 Mr Pope: Mr Gilligan said in his article in the *Mail on Sunday* of 1 June "I asked him", the source, "how this transformation happened. The answer was a single word. 'Campbell'." In your conversation with Mr Gilligan did you use the word "Campbell" in that context?

Dr Kelly: I cannot recall using the name Campbell in that context, it does not sound like a thing that I would say.

Q63 Mr Pope: Do you believe that the document was transformed, the September dossier, by Alastair Campbell?

Dr Kelly: I do not believe that at all.

Q64 Mr Pope: When you met Mr Gilligan on 22 May he says in his article that he met a source in a central London hotel on that day. Did you meet him in a central London hotel?

Dr Kelly: I did.

Q65 Chairman: Which hotel was that?

Dr Kelly: The Charing Cross Hotel.

Q66 Mr Pope: Did you begin your conversation with Mr Gilligan by discussing the poor state of Britain's railways?

Dr Kelly: No.

Q67 Mr Pope: The reason I ask is because he said "We started off by moaning about the railways" and what I am trying to get to the bottom of is whether or not you were the source, the main source, of Mr Gilligan or whether you were one of the other three minor sources which Mr Gilligan has told us he had. I am really trying to get to the bottom of that. Mr Gilligan will not answer this Committee's questions on those specific points. I just want to know, in your own opinion do you believe that you were the main source of Mr Gilligan's article on 1 June?

Dr Kelly: My belief is that I am not the main source.

Q68 Mr Pope: Do you know who the main source is?

Dr Kelly: No.

Andrew Mackinlay: Any idea?

Q69 Mr Pope: I want to be absolutely clear on this. You do not believe that you are the main source, that it is someone else?

Dr Kelly: From the conversation I had with him, I do not see how he

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could make the authoritative statement he was making from the comments that I made.

Q70 Mr Maples: Dr Kelly, just following on from what Mr Pope was saying. Mr Gilligan told us that he had four sources in this area and we are trying to find out whether you are the one or whether you are one of the other three. Did you know about this 45 minute claim before the dossier was published?

Dr Kelly: No, it became apparent to me on publication.

Q71 Mr Maples: So you did not know about it before you, like all of us, read the dossier?

Dr Kelly: No. I might have appreciated it 48 hours beforehand but not before that.

Q72 Mr Maples: You would not have known about it significantly in advance. You were never part of any discussions about whether this should or should not be included in the dossier?

Dr Kelly: No.

Q73 Mr Maples: Similarly with the question of the uranium from Niger - I do not want to put words in your mouth but it is the same question really - when did you know about that?

Dr Kelly: The only knowledge I have about Niger and uranium is from the newspapers. At that stage at the end of May it was the time when Mr Baradei, head of the International Atomic Energy Authority, had made the statement that the documents were forged.

Q74 Mr Maples: Of course there is a claim in the dossier about the uranium from Niger.

Dr Kelly: Yes.

Q75 Mr Maples: Did you first become aware of that at or around the time the dossier was published? In other words, were you a part of any conversations?

Dr Kelly: I am not an expert on nuclear matters. When I read it I was aware that the statement was there but I had no opinion on it.

Q76 Mr Maples: You said that your work which went into the dossier was largely history and it was done in April and May of last year.

Dr Kelly: May and June, I think.

Q77 Mr Maples: Sorry, May and June, and that you were away, either on leave or abroad, in August and early September. In evidence

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to us it has become clear that the final form of this dossier was published and emerged in a first draft, whatever in that context it means, a first draft of this document on 9/10 September last year and was published, I think, on 23/24 September. During that period did you go to any meetings or have any discussions with anybody about what was in there?

Dr Kelly: No. I would have been in the country at that time but I did not participate in any meetings.

Q78 Mr Maples: So after you had written your bit in May and June --
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Dr Kelly: I forgot about it.

Q79 Mr Maples: ---- you had nothing more to do with it. I just wanted to ask you a couple more questions since you are here. When you were a weapons inspector with UNSCOM in Iraq - I only got this from newspaper reports and you can tell me if it is not true - you were shown by an Iraqi general or minister a site in evidence that Iraq had tested a radiological weapon, or sought to test a radiological weapon, a dirty bomb I suppose in the jargon.

Dr Kelly: On one inspection that I led the Iraqi authorities asked that there should be a special briefing to the team and at that mission, which was an interview mission, the acknowledgement was made by General Fahı Shaheen, together with Brigadier Haifa, that they had undertaken experiments with radiological weapons in 1987. I have been to the site since but not to investigate the radiation.

Q80 Mr Maples: You did not go to the site at the time?

Dr Kelly: Not at the time. I have been there since to investigate other claims.

Q81 Mr Maples: Not in 1995 when you were there with UNSCOM?

Dr Kelly: The site I actually went to in September 1995, but not to investigate that aspect.

Q82 Mr Maples: Is your only evidence for this what General Shaheen told you? Did you check that out through documents or whatever?

Dr Kelly: Subsequently documents were found and there is a document that has been provided to the United Nations, a document which has been leaked by the Wisconsin Institute and which, unfortunately, is now available on the Internet.

Q83 Mr Maples: Do you think that is true?

Dr Kelly: Undoubtedly it is true.

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Q84 Mr Maples: I do not think it is given much, if any, prominence in the dossier, either in the history or in current threats, and yet if Iraq had the technology and ability to detonate a dirty nuclear bomb I would have thought that was pretty significant. I hesitate to say that there is no mention of it in here because I may have missed it, but I do not think there is.

Dr Kelly: I am not sure it is for me to discuss the dossier.

Q85 Mr Maples: This is your subject.

Dr Kelly: We are talking about an historical aspect of some 15 years ago. Iraq claimed, and I think we believed them, that that project was terminated in 1988.

Q86 Mr Maples: When you were writing the historical bit of this in May and June, did that feature in what you wrote?

Dr Kelly: No.

Q87 Mr Maples: Is there some reason why it was left out?

Dr Kelly: Essentially it had to be a concise account and you cannot include everything.

Mr Maples: A dirty nuclear bomb I would have thought was pretty significant myself.

Chairman: We are concentrating on Gilligan.

Mr Maples: I know, but this is the dossier and Dr Kelly had a part in it.

Q88 Andrew Mackinlay: You told us that you discovered about the Niger issue from the press.

Dr Kelly: Let me get this straight. I was aware of the Niger issue in the dossier, of course, I read the dossier. After that I had no insight into it until it appeared in the press when the International Atomic Energy Authority made its comments.

Q89 Andrew Mackinlay: And you had a conversation with Gilligan after that, did you not?

Dr Kelly: I did.

Q90 Andrew Mackinlay: You did?

Dr Kelly: I did.

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Q91 Andrew Mackinlay: And at that conversation *obiter dicta*, by the way, you said "That is all dodgy", or whatever words you used, but basically that was what you said, was it not?

Dr Kelly: No.

Q92 Andrew Mackinlay: You did not?

Dr Kelly: No.

Q93 Andrew Mackinlay: You discussed it?

Dr Kelly: It came up.

Q94 Andrew Mackinlay: What did you say?

Dr Kelly: I just confirmed that, in fact, Baradei had made the statements that he had made because that was the only knowledge that I had.

Q95 Andrew Mackinlay: You did not pass any other comment on it?

Dr Kelly: Did I pass any other comment?

Q96 Andrew Mackinlay: Yes.

Dr Kelly: No.

Q97 Andrew Mackinlay: What did you tell Gilligan about the process by which the September dossier was compiled? Did you explain to him your role?

Dr Kelly: No. I was not involved in the process of its compilation so I was not in a position to discuss it.

Q98 Andrew Mackinlay: You were aware that it was signed off by the JIC Chairman, that is correct, is it not?

Dr Kelly: I am aware that the Joint Intelligence Committee was involved in the final compilation, yes.

Q99 Andrew Mackinlay: What was your understanding of who put the final imprimatur, the final seal, on the document?

Dr Kelly: I was not involved in that process and I did not have that understanding.

Q100 Andrew Mackinlay: You did not discuss it with Gilligan?

Dr Kelly: No.

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Q101 Andrew Mackinlay: So you made no comments about the veracity of that document at all to Gilligan, you did not say it was exaggerated, embellished, probably over-egged?

Dr Kelly: No, I had no doubt that the veracity of it was absolute.

Q102 Chairman: Sorry, I had no doubts?

Dr Kelly: On the veracity of the document.

Q103 Andrew Mackinlay: Did you express any view about that document at all to him which you can share with this Committee?

Dr Kelly: We are talking of a conversation we had six weeks ago and for me it is very difficult to recall that, so I cannot recall the comments that I made. All I can say is that the general tenet of that document is one that I am sympathetic to. I had access to an immense amount of information accumulated from the UN that complements that dossier quite well, remarkably so, and although the final assessment made by the United Nations was status of verification documentation, not a threat assessment, the UN did not make a threat assessment, put the two together and they match pretty well.

Q104 Andrew Mackinlay: Okay. Dr Kelly, a few moments ago I asked you for the names of other journalists you have had contact with in the timescale we were talking about and you said you have not got access to your home. We are going to write formally to the MoD and by that time you will have done your homework and sent it to us in an envelope, but this afternoon can you tell me those journalists who you do recall having met in the timescale? What are their names?

Dr Kelly: Having met?

Q105 Andrew Mackinlay: Yes.

Dr Kelly: I have met very few journalists.

Q106 Andrew Mackinlay: I heard "few", but who are the ones in your mind's eye at this moment? What are their names?

Dr Kelly: That will be provided to you by the Ministry of Defence.

Q107 Andrew Mackinlay: No, I am asking you now. This is the high court of Parliament and I want you to tell the Committee who you met.

Dr Kelly: On this occasion I think it is proper that the Ministry of Defence communicates that to you.

Chairman: But it is a proper question

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Andrew Mackinlay: You are under an obligation to reply.

Chairman: If you have met journalists there is nothing sinister in itself about meeting journalists, save in an unauthorised way.

Q108 Andrew Mackinlay: Who are they?

Dr Kelly: The only people that I can remember having spoken to in recent times about this particular issue - not about this particular issue - is Jane Corbin and Susan Watts. *Mackinlay A Watts*

Q109 Andrew Mackinlay: Okay. Can I ask you this: I think part of what you have said in the press, and I do have some sympathy with this, is that it was like a culture and some of your meetings with the press were not necessarily authorised but it was understood that you had been around a long time, is that correct?

Dr Kelly: I do not think I have made any such statement to the press.

Q110 Andrew Mackinlay: What are the ground rules for talking to the press amongst you and your peers?

Dr Kelly: Normally you have to have authorisation or a request by the Ministry to interact in such a way.

Q111 Andrew Mackinlay: But you did not on this occasion?

Dr Kelly: I did not.

Q112 Andrew Mackinlay: Why not?

Dr Kelly: I think you have to look back at my history. I have been involved with the press for ten to 12 years, primarily as an UNSCOM inspector, and when I was a chief inspector I had responsibility for dealing with the press. Since then I have been asked on many occasions by both the United Nations and by the Foreign Office and the Ministry of Defence to provide interviews both to British and international press. As a consequence of that, it is quite often followed up on clarification of issues with contact numbers, and so one responds to that.

Q113 Andrew Mackinlay: Basically you are saying you have a general mandate?

Dr Kelly: I would not say I have a general mandate. Normally if I have an approach the request is put to the Foreign Office press office and that is the routine that I undertake.

Andrew Mackinlay: I am obliged, thank you.

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Q114 Chairman: What lessons have you learned from this episode?

Dr Kelly: Never to talk to a journalist again, I think.

Q115 Chairman: Are you going to respond to any requests from Mr Gilligan again?

Dr Kelly: I think we will leave that question. I think that one I can leave.

Q116 Richard Ottaway: Dr Kelly, you confirmed in response to questions from Mr Pope that in your opinion you do not think that you were the central source of Mr Gilligan's report?

Dr Kelly: That is my belief.

Q117 Richard Ottaway: In Mr Gilligan's report there were two fundamental assertions which have subsequently been proved correct. One is that the 45 minute assertion was entered late into the September dossier and, secondly, that the 45 minute assertion came from a single, uncorroborated source. I think we can safely say from what you have been saying that you were unaware of either of those two things?

Dr Kelly: Correct.

Q118 Richard Ottaway: Given that Mr Gilligan's source of the story has proved to be correct, do you think it is fair to say that you could not have been the source? It is not just a question of your opinion, but you could not have been the source.

Dr Kelly: It is very difficult for me to be that strong. I do realise that in the conversation that I had there was reinforcement of some of the ideas he has put forward.

Q119 Richard Ottaway: Given that there were two assertions which have been proved correct, which you did not know about, you clearly were not the source of those assertions.

Dr Kelly: Correct.

Q120 Richard Ottaway: So, therefore, you could not have been the central source?

Dr Kelly: Correct.

Q121 Richard Ottaway: When it was announced that the MoD put out a statement that you had been in contact with the press, in the penultimate paragraph the MoD says: "We do not know whether this official is the single source quoted by Mr Gilligan" Given what you

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have said today, why did you allow that statement to be made?

Dr Kelly: Can you repeat the statement, please?

Q122 Richard Ottaway: "We do not know whether this official is the single source quoted by Mr Gilligan".

Dr Kelly: Because I think that is the MoD's assessment.

Q123 Richard Ottaway: Did you know that they were going to say that?

Dr Kelly: I did.

Q124 Richard Ottaway: Did you tell them that that was an incorrect statement?

Dr Kelly: No. The whole reason why this has come up and the reason why I wrote to my line management was because I had a concern that because I had met with Andrew Gilligan in fact I may have contributed to that story. When I reflected on my interaction with him and realised the balance between the general conversation and the very specific aspect we are now discussing today, which was a very, very minor part of it, I did not see how on earth I could have been the primary source. I did not see how the authority would emanate from me.

Q125 Richard Ottaway: I share your analysis, I do not see how you could have been the primary source. Why did you not complain to the MoD that this was an inaccurate statement that they were making?

Dr Kelly: Because, as I have just explained, I did realise that in fact I may have inadvertently, if you like, contributed to that.

Q126 Richard Ottaway: You reached the conclusion that you were not the source?

Dr Kelly: I do not believe I am the source.

Q127 Richard Ottaway: You have just concurred with me that you could not have been the source.

Dr Kelly: Following the logic I agree with that, yes.

Q128 Richard Ottaway: In that, the MoD says they do not know of the source and it was knowingly said by you.

Dr Kelly: That is the situation.

Q129 Richard Ottaway: Do you think possibly the MoD knowingly got it wrong?

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Dr Kelly: No, I am saying that the MoD cannot make the categorical statement that you want it to make based on my information provided to them.

Q130 Richard Ottaway: I have to say that there seems to be an inconsistency between your two statements. Would you agree that there is an inconsistency between your belief that you were not the single source and the MoD's statement?

Dr Kelly: There is an element of inconsistency there, I have to agree with you.

Q131 Richard Ottaway: In response to my colleague, David Chidgey, he gave you a quote which appeared on *Newsnight* in a programme introduced by Susan Watts. You have confirmed that you have spoken to Susan Watts. Can I just take you through the quote again that was read out. You said you did not recognise it. Could you just concentrate on it. It is talking about the 45 minute point. It said: "The 45 minute point was a statement that was made and it got out of all proportion. They were desperate for information. They were pushing hard for information that could be released. That was the one that popped up and it was seized on and it is unfortunate that it was. That is why there is the argument between the intelligence services and Number 10, because they picked up on it and once they had picked up on it you cannot pull back from it, so many people will say 'Well, we are not sure about that' because the word smithing is actually quite important." There are many people who think that you were the source of that quote. What is your reaction to that suggestion?

Dr Kelly: I find it very difficult. It does not sound like my expression of words. It does not sound like a quote from me.

Q132 Richard Ottaway: You deny that those are your words?

Dr Kelly: Yes.

Q133 Richard Ottaway: In a throwaway line to a question just now you said you did have a view as to why weapons of mass destruction were not used in 45 minutes. Would you like to elaborate on that?

Dr Kelly: I did not say I had a view as to why they were not used in 45 minutes, what I said was that I had a view as to why weapons were not used during the conflict.

Q134 Richard Ottaway: What was that?

Dr Kelly: Basically early on in the war the weather conditions were such that you could not possibly consider the use of chemical and biological weapons and later in the conflict command and control had

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collapsed to such a state that you still would not be able to use them.

Q135 Richard Ottaway: So they could not have been deployed in 45 minutes?

Dr Kelly: That is a separate discussion as to what the 45 minutes means. Basically it would be very difficult to see how Iraq could deploy in 45 minutes.

Q136 Richard Ottaway: The original statement was that "employed within 45 minutes" meant they could be got up to - I think the word was - the utility within 45 minutes, which implied some sort of holding camp or base camp. Do you agree with that?

Dr Kelly: I do not remember that statement being made, it does not actually make sense to me.

Q137 Richard Ottaway: You are quite an expert on this. Do you actually think that biological and chemical weapons could have been deployed within 45 minutes?

Dr Kelly: It depends what you mean by "deployment".

Q138 Richard Ottaway: From Saddam Hussein saying "use them" to delivery on the battlefield, to actually being fired at enemy troops, allied troops?

Dr Kelly: It makes a number of assumptions, that the weapons were all ready to go in the right place with whatever system was being used with the right tracking to attack, and that is very unlikely. We are talking in terms of Iraq, in terms of what we knew ten years ago, a country which filled its weapons to use them, it did not maintain a stockpile of filled weapons, with the exception of mustard gas. It is actually quite a long and convoluted process to go from having bulk agent and munitions to actually getting them to the bunker for storage and then issue them and subsequently deploy them.

Q139 Richard Ottaway: Do you think on September 24 2002 there were weapons that could be deployed within 45 minutes?

Dr Kelly: I have no idea whether there were weapons or not at that time.

Q140 Richard Ottaway: Is it possible that that was not the case?

Dr Kelly: It is possible it was not the case, it is possible that there were weapons. Whether they were weapons that could be deployed within 45 minutes is a separate issue.

Chairman: I think we are getting close to being outside the terms of reference.

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Q141 Richard Ottaway: I am talking about the 45 minutes which was the central part of Mr Gilligan's report. My final question is what sort of threat do you feel Iraq posed to the rest of the world in September 2002?

Dr Kelly: I think I would quote the dossier, that it was a serious and a current threat.

Q142 Richard Ottaway: You are on public record as saying as far as anthrax was concerned you thought that Russia had a bigger capacity than Iraq.

Dr Kelly: If you are quoting me now, think of where the quote is coming from. I think we are talking of a separate issue.

Q143 Richard Ottaway: I am talking about Canadian television on 23 October 2002.

Dr Kelly: I cannot recall the interview. Essentially, yes, in terms of the Russian biological weapons programme and the Iraqi biological weapons programme there is no doubt as to which was the larger.

Q144 Richard Ottaway: The Russians?

Dr Kelly: The Russians.

Q145 Richard Ottaway: Do you think that Iraq was a threat to the rest of the world?

Dr Kelly: I think it was a threat to its neighbours and to the interests of the UK.

Richard Ottaway: Thank you very much.

Q146 Sir John Stanley: Dr Kelly, when did you read the entire transcript of this Committee's evidence session with Mr Gilligan?

Dr Kelly: The Thursday after he provided the information.

Q147 Sir John Stanley: When you read it, did you recognise yourself in the description he gave of the nature, the experience, the working position of the single source for the 45 minute claim?

Dr Kelly: No, because I am not part of British Intelligence and I was not someone who was involved in drafting the dossier or compiling the dossier, I cannot remember the exact phrase he used.

Q148 Sir John Stanley: When you read the transcript did you recognise the conversation that Mr Gilligan described between himself and his sole source for the 45 minute claim as being one that was held

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with you?

Dr Kelly: No.

Q149 Sir John Stanley: When he came before the Committee Mr Gilligan told us about the length of time that he had known this particular source. If I heard you in the rather bad acoustics a little time ago, I think you said to one of my colleagues that you first met Mr Gilligan in September of last year. Did I hear that correctly?

Dr Kelly: You heard it correctly. When I made my statement to the Ministry of Defence what I said was I cannot exclude the possibility that I have met him at a meeting at Chatham House or IISS before then. That was the first time I can remember holding a long conversation with him.

Q150 Sir John Stanley: You will, of course, be aware that Mr Gilligan said to this Committee in relation to this source that: "I have known this man for some time" and he also said in response to a question from the Chairman: "It was something like a year since I had last seen him face-to-face when we met". Would you agree that that, again, bears absolutely no relationship to what you have just described as your contact with Mr Gilligan?

Dr Kelly: Before the May meeting the previous meeting had been in February, two months earlier.

Q151 Sir John Stanley: If you met him for the first time last September that is completely removed from something like "I have known this man for some time....It was something like a year since I had last seen him face-to-face..." Having read the transcript, Dr Kelly, you have already confirmed to me and to other colleagues on this Committee that the description Mr Gilligan gave of the person in terms of position and experience of his source for the 45 minute claim bore no relationship to yourself?

Dr Kelly: It does not match up.

Q152 Sir John Stanley: You have already said to this Committee that Mr Gilligan's account of the conversation which he had with the single source on the 45 minute claim bears no relationship to the conversation which you yourself had with him. Thirdly, you have just confirmed to me that the history of your relatively short relationship with Mr Gilligan bears no relationship to what Mr Gilligan said was the last time he had met his source and the length of time he had known him.

Dr Kelly: Yes.

Q153 Sir John Stanley: So when you read that in the transcript, I find it difficult to understand why it was not absolutely clear to you

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that whatever conversation you had with Mr Gilligan there is absolutely no way you were the source that he was referring to when he came before this Committee as far as the 45 minute claim is concerned.

Dr Kelly: The difficulty I have is that there are other elements of it which do match the things that I say, and I have referred to that: the issue of the 30 per cent probability of Iraq possessing chemical weapons. That is the sort of statement that I do make and may well have made to him, and that is when I became concerned that I may, in fact, be part and parcel of the story.

Q154 Sir John Stanley: Of course, references to those particular points may have come in other public statements that Mr Gilligan has made and on which he might reasonably have drawn from the separate conversation he had with you.

Dr Kelly: True.

Q155 Sir John Stanley: Who made the proposition to you, Dr Kelly, that you should be treated absolutely uniquely, in a way which I do not believe any civil servant has ever been treated before, in being made a public figure before being served up to the Intelligence and Security Committee?

Dr Kelly: I cannot answer that question. I do not know who made that decision. I think that is a question you have to ask the Ministry of Defence.

Q156 Sir John Stanley: So you did not make it yourself?

Dr Kelly: Certainly not.

Q157 Sir John Stanley: We have to assume therefore that your ministers then are responsible for treating you uniquely as a civil servant in highly publicising you before going to the Intelligence and Security Committee?

Dr Kelly: That is a conclusion you can draw. ---

Q158 Sir John Stanley: Why did you go along with it, Dr Kelly? You were being exploited, were you not?

Dr Kelly: I would not say I was being exploited.

Q159 Sir John Stanley: You had been before them to rubbish Mr Gilligan and his source, quite clearly?

Dr Kelly: I just found myself to be in this position out of my own honesty in acknowledging the fact that I had interacted with him. I felt obliged to make that statement once I realised that I may possibly be

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that source. Until then, I have to admit that I was out of the country for most of the time this debate was going on so I was not following the actual interactions that were going on. It was not until I was alerted to the transcript by a friend that I actually even considered that I might be the source.

Q160 Sir John Stanley: If I may say so, I think you have behaved in a very honourable and proper manner by going to your departmental line managers in the circumstances you describe. That does not get away from the key issue, which is why did you feel it was incumbent upon you to go along with the request that clearly had been made to you to be thrown to the wolves, not only to the media but, also, to this Committee?

Dr Kelly: I think that is a line of questioning you will have to ask the Ministry of Defence. I am sorry.

Sir John Stanley: I am grateful.

Q161 Chairman: Do you feel any concern at the way the Ministry of Defence responded after you volunteered your admission?

Dr Kelly: I accept what has happened.

Q162 Andrew Mackinlay: The feeling I have, and you might be able to help me with this, was that there was no serious attempt by the security or intelligence services or the Ministry of Defence Police to find out Gilligan's source. Did they come knocking at your door or that of your colleagues, to your knowledge at all, to discover that?

Dr Kelly: I have no knowledge of that whatsoever.

Q163 Andrew Mackinlay: Since you wrote to your superiors in the way you have done, have you met Geoff Hoon?

Dr Kelly: No.

Q164 Andrew Mackinlay: Any ministers?

Dr Kelly: No.

Mr Pope: Any special advisers?

Q165 Andrew Mackinlay: Any special advisers?

Dr Kelly: No.

Q166 Andrew Mackinlay: Do you know of any other inquiries which have gone on in the department to seek the source - to clarify in addition to you or instead of you or apart from you?

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None whatsoever?

Dr Kelly: No.

Q167 Andrew Mackinlay: I reckon you are chaff; you have been thrown up to divert our probing. Have you ever felt like a fall-guy? You have been set up, have you not?

Dr Kelly: That is not a question I can answer.

Q168 Andrew Mackinlay: But you feel that?

Dr Kelly: No, not at all. I accept the process that is going on.

Q169 Chairman: I am sorry. You accept ... ?

Dr Kelly: I accept the process that is happening.

Q170 Mr Hamilton: Dr Kelly, I am sorry to go back to something that I know you have already answered or partially answered, but I just want to clarify. My colleague, Mr Ottaway, did refer to this earlier. I just want to come back to this question of Alastair Campbell and Mr Gilligan. The MoD statement states that when Mr Gilligan asked about the role of Alastair Campbell with regard to the 45 minute issue "he made no comment and explained that he was not involved in the process of drawing up the intelligence parts of the dossier" - that is you, of course. Just for the record, can you tell me absolutely whether you named or otherwise identified Alastair Campbell or did you say anything which Mr Gilligan might reasonably have interpreted as identifying Mr Alastair Campbell as wanting to change the dossier or "sex it up" in any way or make undue reference to the 45 minute claim?

Dr Kelly: I cannot recall that. I find it very difficult to think back to a conversation I had six weeks ago. I cannot recall but that does not mean to say, of course, that such a statement was not made but I really cannot recall it. It does not sound like the sort of thing I would say.

Q171 Sir John Stanley: One final point on the timetable. What was the date on which you went to your line managers expressing the concern that Mr Gilligan might have drawn on his conversation with you?

Dr Kelly: I wrote a letter on Monday 30 June.

Q172 Sir John Stanley: How do you explain the reasons for the delay between the letter you wrote on 30 June and the release of the Ministry of Defence statement throwing you to the wolves?

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Dr Kelly: I cannot explain the bureaucracy that went on in between. I think it went through the line management system and went through remarkably quickly.

Q173 Sir John Stanley: Did you get any impression that the statement was delayed by the Ministry of Defence in order to ensure that it went out only after our report was published?

Dr Kelly: I cannot answer that question. I really do not know.

Q174 Mr O'ner: You work for the MoD, Dr Kelly, but work obviously very closely with the intelligence and security services. Did you suggest to anyone at all that the intelligence and security services were unhappy about the September dossier?

Dr Kelly: Unhappy? I do not think they were unhappy. I think they had confidence in the information that was provided in that dossier.

Q175 Mr O'ner: So there was no, if you like, feeling within the security services that this was a piece of work that had been "sexed-up" and it was going to be rubbished at the end of the day?

Dr Kelly: I think there were people who worked extremely hard to achieve that document and the calibre of the document that was produced.

Q176 Mr Pope: When you met Mr Gilligan on 27 May did you feel at the time that you were doing anything untoward, that you were breaching the confidence that is expected of you within your job?

Dr Kelly: No. I think it has been agreed by the Ministry of Defence there was no security breach involved in the interactions I had.

Q177 Mr Pope: Do you think, in your experience, that there is a widespread culture in the MoD and, perhaps, in the intelligence and security services of people speaking in an unofficial capacity to journalists? Certainly the impression I got from Mr Gilligan was that that was a widespread culture that journalists would have a number of contacts in the MoD or in the security services. Is that your experience?

Dr Kelly: It is not my experience but I think you have to recognise that I have a strange background in the sense that I operated for ten years internationally interacting with the international press and was well-known to the press and had quite a lot of contact. I think I am somewhat unusual in terms of the people who have an interest in that situation.

Q178 Mr Pope: Finally, were you aware of any widespread unease about the accuracy of the September dossier, at the time it was

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published, amongst people who were involved in providing information for it?

Dr Kelly: I do not believe there was any difficulty over the accuracy of that document.

Q179 Chairman: Dr Kelly, Sir John has properly said that you acted honourably. When you thought that you might have been the source you wrote a letter volunteering the fact of your meeting. Given what has subsequently happened, do you feel used in any way?

Dr Kelly: You have already asked that question. I accept the process that I have encountered.

Chairman: May I thank you on behalf of the Committee. You have been most helpful.