



Oral evidence

Taken before the Foreign Affairs Committee on Thursday 19 June 2003

Members present:

Donald Anderson
Mr David Chidgey
Mr Eric Illsley
Andrew Mackinlay
Mr John Maples
Mr Bill Olnier
Mr Greg Pope
Sir John Stanley

Witnesses: MR ANDREW GILLIGAN, BBC Defence Correspondent, and
MR MARK DAMAZER, BBC Deputy Director of News, examined

Q386 Chairman: We continue today our inquiry into the decision to go to war in Iraq and I welcome as our witness Mr Andrew Gilligan, the BBC Defence Correspondent. Mr Gilligan, you have asked that you be accompanied by Mr Mark Damazer, the BBC Deputy Director of News, in case any questions of editorial policy were to arise during the course of our inquiry. They may not do so and then obviously, Mr Gilligan, you are the main focus, because some might say that it is in on your report that much of the current controversy has arisen. I was just a little amused to note that of course you came from a stable mate of *The Daily Telegraph*, namely *The Sunday Telegraph*, and *The Daily Telegraph* stated on 6 June in respect of you: "In 1999, after five years at the paper" - that is *The Sunday Telegraph* - "Gilligan was poached by the *Today* programme's then editor, Rod Liddle, with a brief to cause trouble." Is that your understanding of your brief?

Mr Gilligan: Not entirely, no. I think my brief was to -----

Q387 Chairman: Not entirely.

Mr Gilligan: -- report -----

Q388 Chairman: Partly or ...?

Mr Gilligan: Well, I think the role of any reporter is slightly to probe and ask questions a bit.

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Andrew Mackinlay: Sometimes that causes trouble.

Q389 Chairman: Is there something equivalent to the lobby in respect of the agencies? Is there a way, if not of deep throats, of scheduled regular briefing of newspaper and media correspondents?

Mr Gilligan: There is nothing as formal as the lobby. There are no regular meetings. There are, to my knowledge, few, if any, group meetings. The agencies do have officers whose particular job is to talk to journalists, and certain journalists have those people's contact numbers.

Q390 Chairman: These are journalists who are specifically designated for matters with the press.

Mr Gilligan: Yes. They are serving intelligence officers as well, actually.

Q391 Andrew Mackinlay: They are intelligence officers?

Mr Gilligan: Yes.

Q392 Chairman: They are intelligence officers. What sort of matters are given to the press by those individuals?

Mr Gilligan: It is difficult to discuss that actually.

Q393 Chairman: Are they defensive briefs when matters are raised, criticisms are made of the agencies? Are they in-house matters, such as the cost of the headquarters? Or are they matters like 45 minutes in JIC reports?

Mr Gilligan: In some ways, albeit in a more low key way, they act a little like press officers. Sometimes you can go to them with questions on an issue which has come up, like, for instance, the cost of computerisation or of buildings, and they operate a kind of response service like that to certain journalists. The 45-minute question did not in fact come from, if you like, the designated press spokespeople of any of the agencies.

Q394 Chairman: Would you expect it to come in these irregular briefings?

Mr Gilligan: I do think that when other journalists with intelligence contacts, presumably including these same people, these designated spokespeople, went to their contacts for corroboration of my story, then it was corroborated and we saw similar reports appear in several newspapers in the days after my story.

Q395 Chairman: When you talk about these contacts, these are

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serving members of the agencies who talk to the press informally.

Mr Gilligan: Yes, some of them talk to us informally, some of them talk to us with official sanction.

Q396 Chairman: But those who talk to you informally are doing so against their professional code and their terms of engagement.

Mr Gilligan: No, I think that the agencies, like any other organ of state and, indeed, any other organisation, sometimes have a need to maintain relations with the press. That is really all they are doing. A lot of the time it is authorised so they do not fall outwith their professional code.

Q397 Chairman: You are saying that the agencies give licence to some individuals to talk informally to the press outside these regular meetings.

Mr Gilligan: That is correct, yes.

Q398 Chairman: Are you saying that the meeting you had with that individual, unnamed, was so authorised?

Mr Gilligan: I would not like to characterise how the meeting ... whether the meeting fell within that authorisation or not. I can tell you a bit about my source. I mean, essentially, the particular meeting from which this story arose came about at my initiative. I have known this man for some time. He is quite closely connected with the question of Iraq's weapons of mass destruction and I asked for a meeting with him. We have met several times before, we have spoken on the phone from time to time. We have both been rather busy over the last six or seven months for obvious reasons, so this was the first free moment I had to ask for a meeting with him.

Q399 Chairman: So this individual meets you on a fairly regular basis.

Mr Gilligan: I would not say that regularly, no. I mean, it was something like a year since I had last seen him face-to-face when we met, but I have spoken on the phone in the interim.

Q400 Chairman: Clearly what he told you on this occasion by definition was not authorised.

Mr Gilligan: It is simply impossible for me to know whether it was authorised or not. That was not a question I discussed with him.

Q401 Chairman: But the Chairman of the JIC has repudiated what you have said.

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Mr Gilligan: The Chairman of the JIC. The Joint Intelligence Committee is not the same thing as the intelligence agencies. I mean, they are represented on it, of course, but the Chairman of the JIC is a civil servant not an intelligence official.

Q402 Chairman: Well, all the civil servants.

Mr Gilligan: He is a civil servant in the non-secret part of the civil service as distinct from the secret part.

Q403 Andrew Mackinlay: Not so secret, though.

Mr Gilligan: Not so secret, no.

Q404 Chairman: Are you aware of anyone within the services who has complained at what has been published?

Mr Gilligan: Complained to us?

Q405 Chairman: No, complained through any formal channels to their line management.

Mr Gilligan: No, but I would not expect to be. I am aware of disquiet within the intelligence community over the Government's handling of intelligence material related to Iraq, not just on this particular issue of the September 24 dossier but on others.

Q406 Chairman: From this one individual?

Mr Gilligan: No, from several individuals. From a total of four different people.

Q407 Chairman: Four different people. And these are individuals who see you from time to time.

Mr Gilligan: That is right.

Q408 Chairman: Contrary to their terms of engagement.

Mr Gilligan: Not all.

Q409 Chairman: So some are allowed by the agencies to speak to you about their concerns about government.

Mr Gilligan: When we meet, we never quite discuss things like whether the meeting is contrary to their terms of engagement or not.

Q410 Chairman: But you know it is, surely, if they tell ----

Mr Gilligan: Assumptions are made.

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Q411 Chairman: If they tell a press officer that there has been undue interference, this must surely be contrary to any terms of engagement of a public servant.

Mr Gilligan: In my experience, the intelligence agencies do sometimes do things in a calculated fashion, and maybe some of these contacts were such contacts.

Q412 Chairman: In a calculated fashion.

Mr Gilligan: They are not unlike any other part of government, in that they sometimes want to get a message across.

Q413 Andrew Mackinlay: That is rather making Reid's point, is it not? Rogue elements.

Mr Gilligan: No, I do not think it does.

Q414 Andrew Mackinlay: I am sorry to interrupt but it just occurred to me. Reid came into my mind then.

Mr Gilligan: I do not think you should assume that these are necessarily rogue elements. I do not think that has entered into it.

Q415 Chairman: You think they are doing a public service, do you, by leaking their views to you?

Mr Gilligan: I have no opinion on what they do to me; I am just grateful for the information as a journalist.

Q416 Chairman: Grateful for the information.

Mr Gilligan: Yes.

Q417 Mr Maples: I wonder if we can just establish not who these people are, because I am sure you are not going to tell us that, but where they are coming from. I have been looking at the transcripts of your appearances on the *Today* programme, May 29 and June 4. On May 29 you started by saying, "I have spoken to a British official who was involved in the preparation of the dossier," and you say, "I want to stress that this official and others I have spoken to ..." Then on June 4 you say that, while the quotes came from a single source, "... four people over the last six months in or connected with the intelligence community have expressed concern ..." etcetera. What I want to try to establish is: are these people all, or are some of them, actually currently working in one of the intelligence agencies? Or, when you say a British official, do you mean someone in No 10 or on the JIC assessments staff? Could you try to establish where these sources are coming from?

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Mr Gilligan: First, I want to make the distinction between the specific source for this specific story, which is a single source, and the three other people who have spoken to me generally of their concern about Downing Street's use of intelligence material over the last six months. They spoke to me about the allegations made of links between Saddam and al-Qaeda. They spoke to me about the so-called "dodgy dossier", the one produced in February, and they spoke to me about this dossier. The story that began the fuss came from the single source. I really cannot characterise the source any further than I already have done because it would compromise him.

Q418 Mr Maples: No further than that he is a British official. I think it makes a huge difference to us to know how much credibility to attach to this. If it was somebody who actually works in SIS or on the JIC assessments staff involved in this, that is clearly one thing, but if it is somebody telling you some office gossip, that a few people up there are unhappy about this, that is clearly different to us. When you say "a British official" - and this is presumably the person who gave you the 45-minute story - can you not tell us which part of the Government that person works in?

Mr Gilligan: I have described him as 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

Mr Maples: Could you say that again: an official of longstanding involved in ...?

Q419 Chairman: A source of longstanding.

Mr Gilligan: A source of longstanding and I described him in the broadcast as one of the senior officials in charge of drawing up the dossier. That is how I would leave it.

Q420 Mr Pope: Is this the September dossier?

Mr Gilligan: Yes.

Mr Maples: One of the senior officials in charge of drawing up the dossier.

Q421 Chairman: And a source of longstanding.

Mr Gilligan: A source of mine of longstanding.

Q422 Mr Maples: But the other three people spoke to you, you said, about the al-Qaeda links and the "dodgy dossier" but they also spoke to you about this weapons of mass destruction dossier.

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Mr Gilligan: No. As I say, the other three people spoke generally to me about their concerns about the use of intelligence material on Iraq by the Government. One spoke to me about the link being made by the Prime Minister between Saddam Hussein and al-Qaeda. He was kind enough to leak me a document on that link which said that there was not one or there had not been one lately. Another spoke to me ---
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Q423 Andrew Mackinlay: He actually gave you the document?

Mr Gilligan: He let me read it. Another spoke to me about the "dodgy dossier", the February dossier, produced by the Government, plagiarised or partly plagiarised from internet sources and to tell me of his concern about that. The third person was the source of this story and the fourth person was somebody who has come forward since the story was broadcast to talk about similar issues.

Q424 Chairman: Just one point on that. The individual who left you the document, what was the classification for that document?

Mr Gilligan: He did not leave it with me, he sat with me while I read it.

Q425 Chairman: And what was the classification of the document you saw?

Mr Gilligan: Top secret.

Q426 Chairman: So the source in the intelligence agencies is showing a top secret document to you, a journalist. Did you ever consider what his motive might be?

Mr Gilligan: It was fairly unusual - indeed, it is unprecedented, for me anyway - to have received a document of that classification. Clearly consideration of motive is part of any story. My understanding of this person's motive was concern at claims, which this person felt were exaggerated, being made by the Government about links between Saddam Hussein's regime and al-Qaeda for which there was little evidence.

Q427 Chairman: And it could equally well have been someone who did not get the promotion he wanted or who had some sort of grudge.

Mr Gilligan: I think it is unlikely. Of course it is always a possibility, and I think the possibility I have given is more likely.

Q428 Mr Maples: Two of the other three, so to speak, talked to you about the al-Qaeda links and the "dodgy dossier" but not about the weapons of mass destruction dossier.

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Mr Gilligan: That is right.

Q429 Mr Maples: The source of your story, I think you used the phrase or they used the phrase, "to make it sexier" about the weapons of mass destruction dossier, came from, you said, a senior official who was one of the people in charge of drawing up the dossier, but you feel you cannot tell us whether he was a civil servant or worked for the intelligence agency.

Mr Gilligan: I cannot add anything to what I have already done because it would compromise him, I am afraid.

Q430 Mr Maples: Okay. I mean, I understand that but obviously I want to press you as far as I can, but that person is a currently serving official.

Mr Gilligan: Yes.

Q431 Mr Maples: Then you say somebody else, the fourth person of these four, is somebody who subsequently came forward.

Mr Gilligan: That is right.

Q432 Mr Maples: To you and has talked to you again about ... I do not want to put words into your mouth. Which of these issues did they discuss with you.

Mr Gilligan: He in fact drew my attention to a story in *The Independent* and said that the story was "spot on" - those were his words. The story was about the demand by the intelligence services at MI6 that any future dossiers, any future government dossiers, should make it clearer which of the words were derived from intelligence material and which were the product of, you know, re-writing or sub-editing inside government.

Q433 Mr Maples: Was that in relation to the weapons of mass destruction dossier or the "dodgy dossier"?

Mr Gilligan: No, you will remember there were a couple of stories that appeared a week after the 45-minute story broke about the intelligence agencies laying down ultimata to the Government. The source, my source, the fourth source, drew my attention to these stories and said they were correct.

Q434 Mr Maples: By the time that happened, the "dodgy dossier" had been published as well, had it not?

Mr Gilligan: Absolutely. Yes.

Q435 Mr Maples: What I was trying to get at is: was that

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unhappiness that was expressed to you by the fourth source in relation to the September dossier or the February one or both?

Mr Gilligan: Both.

Q436 Mr Maples: In relation to these two dossiers, what has emerged so far to us is that it is very difficult for us to evaluate the truth or otherwise of the weapons of mass destruction dossier because it is obviously based on intelligence material and we have not seen the originals. The "dodgy dossier", on the other hand, we now know most of it came off the internet, even including punctuation mistakes, and seems to have been generated almost entirely inside No 10. I wonder if you can help us about how that came about. We are told in a formal answer by the Foreign Secretary that no minister - whether that includes the Prime Minister or not is not clear - saw or played any part in the preparation of the "dodgy dossier" or saw it before it was published - and I could come across that exact quote. When it originally appeared on the internet, apparently it had four names attached to it, three of whom worked for Alastair Campbell and one who is a Foreign Office official who works in No 10. Can you tell us any more about how that document was produced and by whom it was produced?

Mr Gilligan: It was issued under the Prime Minister's imprimatur. He said on the 3 February in the Commons, "We issued further intelligence over the weekend about the infrastructure of concealment. It is obviously difficult when we publish intelligence reports but I hope the people have some sense of the integrity of our security services. They are not publishing this or giving us this information and making it up; it is the intelligence that they are receiving and we are passing it on to people." That is what the Prime Minister said in the Commons about the "dodgy dossier" the week after it was issued.

Q437 Mr Maples: We asked the Foreign Secretary some formal written questions, one of which was: "On what dates were drafts put to ministers?" - this is on the "dodgy dossier". His answer was: "No ministers were consulted in the preparation of the document." Can you corroborate that.

Mr Gilligan: I have no information either to confirm or deny that. My involvement in the "dodgy dossier" story was being told, along with others, by Glen Rangwala, who was a politics lecturer at Newnham College, Cambridge, that he had spotted similarities between the dossier and his PhD thesis. Unfortunately *Channel 4 News* beat me to the story. Then, after it, to be told of the intelligence services' concern about the way this dossier had been produced. The claim made to me was that the services had not been consulted. I do not know about ministers.

Q438 Mr Maples: It is the same person, Dr Rangwala, who says that

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when the document first appeared on the Downing Street website it had four names attached to it as people who were the authors. The identity of the authors is as follows: Paul Hamill, a Foreign Office official; John Pratt, a junior official from the Prime Minister's strategic communications unit; Alison Blackshaw, Alastair Campbell's PA; and Murtaza Khan, the News Editor of the No 10 Downing Street website. Do you know whether that is correct or not?

Mr Gilligan: No, I do not. I did not see the dossier on the internet before those names were removed.

Q439 Mr Maples: Was your impression from the people who talked to you that this was almost a freelance operation by Alastair Campbell's people?

Mr Gilligan: There was concern expressed to me about the role of No 10 in the production of the dossier and there was concern expressed to me that the final draft had not been shown to the intelligence agencies or to the JIC. That was essentially the limit of what my source told me about the "dodgy dossier". They are not garrulous people, these people.

Q440 Mr Maples: We know now that quite a large part of this came from this PhD thesis but Dr Rangwala points out a couple of changes. Whereas the author of that thesis had said that a particular Iraqi security organisation had as part of its role to "monitor foreign embassies in Iraq", that became in the "dodgy dossier", "spying on foreign embassies in Iraq." On the same page Ibrahim al-Marashi had written that Mukhabarat had a role in "aiding opposition groups in hostile regimes" but in the dodgy dossier that becomes "supporting terrorist organisations in hostile regimes". Are these the sort of things that people were drawing to your attention as their complaints, their concerns?

Mr Gilligan: Yes, among others. That was also one of the things which led me to invest credibility in my source for the 45-minute claim, because it seemed to fit with the pattern of behaviour by Downing Street that had already been established in the "dodgy dossier".

Q441 Mr Maples: So the person who gave you the 45-minute story had been involved in these other things and talked to you about those.

Mr Gilligan: No. I invested great credibility in my 45-minute source for a number of reasons but one of the reasons was that Downing Street had already been shown to have embellished, to have "sexed up", if you like, material.

Q442 Mr Maples: Over the "dodgy dossier".

Mr Gilligan: In the "dodgy dossier".

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Mr Maples: Thank you very much.

Q443 Chairman: You have said that the agencies were laying down ultimata to the Government. What did you mean by that?

Mr Gilligan: Would you remind me of the context again.

Q444 Chairman: It was a phrase which I wrote down as you were saying it, that the agencies were "laying down ultimata".

Mr Gilligan: Yes, that is right. That was something that was reported, as I mentioned, by the *Independent* and the *Guardian* in the week after the 45-minute story broke. I cannot remember the exact words of the reporting but it was in terms of: the agencies have asked the Government to make a clearer distinction between material derived from intelligence and material derived from Downing Street or government with regard to your sub-editing in any future dossiers. That was it.

Q445 Chairman: That is in respect of the January dossier rather than -----

Mr Gilligan: It is in respect of all future dossiers.

Q446 Chairman: But it arose after the publication of the January dossier.

Mr Gilligan: The story emerged after the row over the September dossier, the 45-minute story. You will remember that the Prime Minister was asked to answer some of the criticisms expressed at the time by promising, I think, a third dossier, and I think this was in relation to that promised future dossier.

Q447 Chairman: Was this suggested to you as well by your sources?

Mr Gilligan: As I say, an intelligence source contacted me and said, "The story in *The Independent* is spot on."

Q448 Chairman: Right. Were these ultimata meant to be in written form?

Mr Gilligan: I do not know.

Q449 Sir John Stanley: Mr Gilligan, could I go back to what you describe as the 45-minute story and to what you said on the *Today* programme on May 29. We are referring here not to the so-called "dodgy dossier" but to the assessment of September 2002. You said this: "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 intelligence services

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adds little to what was already publicly 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." Mr Gilligan, we have specifically put that issue to the Foreign Secretary and we have received the Foreign Secretary's response. The question we put to the Foreign Secretary was this: "Was the wording of the 45-minutes claim given on page 19 of the document *Iraq's Weapons of Mass Destruction* exactly the same as it was in the intelligence assessments applied to the Government? If not, was it accompanied in the intelligence assessment by qualifications not included in the public document?" The answer we have received from the Foreign Secretary is this: "The same report was reflected in almost identical terms in the JIC's classified work. There were no further caveats used." The question I put to you is this: against what has been clearly stated now by the Foreign Secretary, are you saying that the Foreign Secretary is lying to this Committee? Or will you now acknowledge that your source was incorrect in saying that the 45-minutes claim was not based on a genuine assessment of the JIC, fully approved through the JIC process?

Mr Gilligan: I note the words "almost identical" in the Foreign Secretary's response. I would simply say that it is not my business to say whether the Foreign Secretary is lying or not. All I would say is that I invested strong credibility in my source, who is a person of impeccable standing on this issue, and whose complaints have been reflected in something like seven or eight newspapers and other media outlets, including other BBC outlets, since my original story and his complaints have also been reflected by named, on the record, former intelligence officers from Australia, from the United States, and also, to some extent, by other Members of the House.

Q450 Sir John Stanley: You are making, Mr Gilligan, a very, very serious allegation against the integrity of the JIC. The entire ----

Mr Gilligan: I am not making any allegations.

Q451 Sir John Stanley: I am sorry, may I just go on. You are making, in my view, a very serious allegation against the integrity of the JIC, all the members of the JIC and, most particularly, against the integrity of the JIC Chairman. You are saying that the JIC Committee and its Chairman, under pressure, which you are implying is political pressure from, presumably, 10 Downing Street, "sexed up" their original assessment at the last moment and introduced material which according to your source was unreliable. You are effectively saying that the whole of the JIC system, including the Chairman, connived in a political embellishing of a JIC assessment for political purposes. I

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cannot think of anything more damaging by way of an accusation to make against the professional integrity of those who serve on the JIC.

Mr Gilligan: I would repeat, as I have said throughout, I am not making any allegations. My source made the allegations. We were reporting the charge of my source, who is a figure sufficiently senior and credible to be worth reporting.

Q452 Sir John Stanley: I accept you are reporting your source, but you and your organisation chose to give this matter publicity in this country and around the world to the effect that the JIC system, including the Chairman, was effectively a party to including unreliable intelligence assessments material in a document going round under the JIC's imprimatur. I put it to you that is a very, very serious allegation to give the sort of publicity which you have given.

Mr Gilligan: As I have said, the JIC did not enter into my report. I reported the source as saying there was unhappiness within the intelligence services, disquiet within the intelligence services. The JIC and the intelligence services are not the same thing. The JIC is a Committee of the Cabinet Office and the intelligence services are represented on it, but they are not the same thing.

Q453 Sir John Stanley: Can you say whether your source suggested that any other pieces of the text that were put in at the last minute, presumably following its approval to the JIC system, other than the references to 45 minutes, were inserted at the last minute before the document was made public?

Mr Gilligan: He was quite cutting about the claim that uranium had been sought from Africa.

Q454 Sir John Stanley: Are you suggesting, apart from being quite cutting, that that was a last minute addition as well?

Mr Gilligan: I am not sure. No, I do not think I am because I do not think he quite said that. He was of the opinion, however, that that was unreliable information.

Q455 Sir John Stanley: In terms of your evidence to this Committee, the only piece of evidence which you are specifying was allegedly made at the last minute subject to a political requirement to "sex it up", to use your phrase, is the 45 minute claim?

Mr Gilligan: That was the only specific piece of evidence that my source discussed, yes.

Sir John Stanley: Thank you.

Q456 Mr Olnier: So the rest of the evidence that was in the dossier

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was reliable? By implication, if your source said he was not happy about the 45 minute thing then he was happy with the rest of it.

Mr Gilligan: The fact that my source was not specifically unhappy with other elements of the dossier does not necessarily mean that other elements of the dossier were reliable. Of course it might mean that, but I do not think anything can be drawn from it the other way.

Q457 Mr Olnier: Who from Number Ten asked for the dossier to be changed?

Mr Gilligan: I asked this. The source's claim was that the dossier had been transformed in the week before it was published and I asked, "So how did this transformation happen?", and the answer was a single word, which was "Campbell". I asked, "What do you mean, Campbell made it up?", and he answered, "No. It was real information" - this is the 45 minute claim - "but it was included in the dossier against our wishes because it was not reliable. It was a single source and it was not reliable." He also said that Downing Street officials, he did not name anybody else, had asked repeatedly if there was anything else that could be included on seeing the original draft of the dossier which was considered done.

Q458 Mr Olnier: After having heard evidence on this Committee yesterday, I think the 45 minute thing is irrelevant in a way because if an armament is found it can be used immediately.

Mr Gilligan: Irrelevant to what?

Chairman: Let us get onto the subject.

Q459 Mr Olnier: I thought it was a relevant question to ask.

Mr Gilligan: The 45 minute claim is important because it went to the heart of the Government's case that there was an immediate threat from Saddam, it was not a mere detail and it was one of the most headline grabbing parts of the dossier. The 45 minute claim was far from irrelevant to the case the Government made against Iraq.

Q460 Mr Olnier: Not the Government's headlines, your headlines, the media headlines.

Mr Gilligan: Yes, but it was clearly designed to elicit those sort of headlines. As I say, the implication of 45 minutes was that Iraq was an imminent threat.

Q461 Mr Pope: Just on this issue of the 45 minutes, I want to be very clear about what your source is alleging. Is your source alleging that the 45 minutes did not exist in the assessment that was inserted by Alistair Campbell?

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Mr Gilligan: I will quote his words again. He said, "It was real information. It was the information of a single source." My source did not believe it was reliable. He believed that that single source had made a mistake, that he had confused the deployment time for a conventional missile with the deployment time for a CBW missile. He did not believe that any missiles had been armed with CBW that would therefore be able to be fireable at 45 minutes' notice. He believed that claim was unreliable.

Q462 Mr Pope: But that view was not necessarily shared by the Joint Intelligence Committee because they did have, albeit a single source, evidence of the 45 minutes.

Mr Gilligan: That is right, absolutely, yes.

Q463 Mr Pope: Has your source made any wider allegations or expressed concerns about Number Ten in general and Alistair Campbell in particular interfering in intelligence assessments?

Mr Gilligan: He expressed concern that Downing Street had spoiled its case against Iraq by exaggeration. I want to make it clear that my source, in common with all the intelligence sources I have spoken to, does believe that Iraq had a weapons of mass destruction programme. His view, however, was that it was not the imminent threat described by the Government.

Q464 Mr Chidgey: On that very point, we took evidence earlier in the week from Clare Short. Would you have a view on whether or not your source might have been briefing her on this issue?

Mr Gilligan: No.

Q465 Mr Chidgey: It seems rather similar.

Mr Gilligan: It is a hypothetical. I just cannot comment on it.

Q466 Mr Chidgey: Can I draw you back to the uranium from Africa claim. You said that your source's response to that issue was "crisp". Did you have any more detailed discussion with your source? Could you share with us how your source analysed that particular issue and came to the conclusion that his remark should be crisp?

Mr Gilligan: My source believed that the documents on which the allegation rested were forged.

Q467 Mr Chidgey: That has been proven subsequently, has it?

Mr Gilligan: Yes. I believe it was a letter from a minister who had left the Niger government several years previously.

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Q468 Mr Chidgey: Forgery at what point? There have been some stories in the press that the forgery occurred in the UK.

Mr Gilligan: These people do not tell you everything, they are pretty tacit.

Q469 Mr Chidgey: It is clearly a very serious matter if somebody in our intelligence services should have forged the documents that we are referring to.

Mr Gilligan: That has never been an allegation that we have made or that my source made.

Q470 Mr Chidgey: Have you any indication from your source of where the forgery is thought to have occurred?

Mr Gilligan: No, I am afraid not.

Q471 Mr Chidgey: Have you any information at all about how it came to be included in the dossier, who picked it up and who presented that information, forged or otherwise?

Mr Gilligan: I did not go into it in sufficient detail.

Q472 Mr Chidgey: It seems surprising that this suddenly dropped out of the air at a stage when there was not enough time to check it.

Mr Gilligan: I did not go into that in sufficient detail with my source to answer that question, perhaps I should have.

Q473 Mr Chidgey: Do you think it is possible that it could have been a deliberate plant by somebody?

Mr Gilligan: I have got no evidence on which to base that view.

Q474 Mr Chidgey: It is possible, is it not?

Mr Gilligan: I have got no view.

Q475 Mr Chidgey: Moving on, we have had a lot of very interesting information from you regarding the intelligence community's view of what was passed in the presentation of the February dossier. Is it your view that they are generally angry about that, is that what has motivated them to speak out now about the September dossier, even though it happens to be through sources such as yourself?

Mr Gilligan: Specifically about the February dossier?

Q476 Mr Chidgey: Yes.

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Mr Gilligan: Anger is too strong a word; I would use the word disquiet.

Q477 Mr Chidgey: Do you think it might stem not so much from the way the information has been used in this particular case but from the fact that it is a sort of change in the relationship between the intelligence services and the Government of the day and the Prime Minister attempting to bring the Parliament, the Government and the country behind him on this view that we would have to prosecute this war? He has possibly gone further than any previous Prime Minister in setting out the case using intelligence information. Is this maybe the sort of cultural change to the issue that is causing the disquiet amongst the intelligence services in that they are not happy that the previous information that was only shared with key members of Government is now being perhaps slightly sanitised and shared with the nation?

Mr Gilligan: I think that is in part fair. We do need to stress, this story took on the life it did because everyone else's intelligence sources were saying the same things as mine were saying to me. One of the complaints made by some of our intelligence sources, not just mine but across the press, was that intelligence services are secret and they do not like necessarily having their work exposed to the public gaze. Yes, I think that is partly fair.

Q478 Mr Illsley: What you are saying is that your source told you that the 45 minute claim was unreliable, is it not?

Mr Gilligan: Yes.

Q479 Mr Illsley: So the claim existed in intelligence terms but it had not been corroborated and was unreliable.

Mr Gilligan: Yes.

Q480 Mr Illsley: Basically whichever committee holds an inquiry into this will have access to the raw data and they will find that claim somewhere in the intelligence reports from the intelligence community.

Mr Gilligan: It was not a claim that was in any way made up or fabricated by Downing Street. Another one of the reasons why this story took on the life that it did was that Downing Street denied a number of things which had never been alleged. They denied, among other things, that material had been fabricated. Nobody ever alleged that material had been fabricated.

Q481 Sir John Stanley: Mr Gilligan, in one of the responses you gave to Mr Pope your answer raised serious doubts in my mind as to the technical knowledge of your source in this area. You said in answer to Mr Pope's question that your source based his view about the

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unreliability of the 45 minutes claim on the assumption that the Iraqi WMD would be delivered by ballistic missiles. I want to point out to you that the Government did not make its 45 minutes statement on that delivery assumption. If you refer to page 19 of the September assessment, the crucial sentence reads, "Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so." Encompassed within weapons is not just merely ballistic missiles, it would be artillery pieces and so on. I must make the point to you that if your source, as you have given in evidence so far to the Committee, was basing his assumption of unreliability on ballistic missile delivery, that is not the proposition which the Government put out in the September document.

Mr Gilligan: It was not ballistic missiles, just missiles. It is not my source who raised the issue of missiles, it was the intelligence source which was the original source for the 45 minute claim as delivered to the intelligence community. That original source of the 45 minute claim, he was the one that spoke about missiles. Maybe he was technically incompetent. Maybe that is a further reason for doubting his accuracy.

Q482 Sir John Stanley: So you are now acknowledging that your source was technically not confident?

Mr Gilligan: No, not my source, the source of the original allegation to the intelligence services, the Iraqi source. I think he has been described as a senior general or something like that in the *Financial Times*. He was the one that spoke about missile delivery, not the source of my story.

Q483 Sir John Stanley: Can I say to you that anybody who knows about this business would say that anybody who couched an assumption about a 45 minute threat based on a missile delivery system, whether it be a cruise missile delivery system or ballistic missile delivery system, would be certainly exposing themselves to suggestions of unreliability. The key issue here is the Government did not make any such claim. The Government put it in terms of weapons and very relevant here, of course, are artillery systems, where you have potentially a very much shorter timescale that is available to you between an order to deploy and making those available, for example, to artillery troops.

Mr Gilligan: The use by the original intelligence source to the Government of the missile as a means of delivery was one of the very reasons why my source did not believe it.

Q484 Sir John Stanley: Yes, but I think the point I am putting to you is that if the assessment had been made that Iraq had a WMD capability particularly in the chemical weapons area, given the known availability of large numbers of artillery troops, a lot of which were

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deployed forward, providing the Government were satisfied that the chemical weapon capability in particular was there then the 45 minute assumption would not be unreasonable from a technical standpoint anyway.

Mr Gilligan: The claim related to missiles. That was the claim of the original Iraqi intelligence source. We have the Defence Minister's word for it that he was the sole source for that claim. So it must relate to missiles whether it was said in the dossier or not.

Sir John Stanley: Thank you, Mr Gilligan.

Q485 Mr Chidgey: In earlier evidence, Mr Gilligan, the question of 45 minutes has been more or less considered to be irrelevant in terms of modern battlefield operations using chemical weapons. It is to be expected that within 45 minutes of being properly deployed chemical weapons would be in use from giving the order, so the 45 minutes question is taken as read. I just wonder whether there is a distinction here between the favoured method of delivering them, a battlefield scenario, which would be a mortar rocket launcher, and somebody talking about missiles. Has anyone checked what the translation is from Iraqi into English and the distinction between a missile and a rocket?

Mr Gilligan: In order to deploy any form of weapon at 45 minutes' notice it would need to have been relatively openly held, it could only have been relatively lightly concealed. One of the other things which led me to invest credibility in my source was the fact that no such discoveries had been made. As I say, the contention of the intelligence community's original source was about missiles, but if any weapons of any description, be it rockets, missiles, crop spraying aircraft, aerosols, had been held at 45 minutes' notice the likelihood is that they would have been found by now.

Mr Chidgey: That is a secondary issue.

Q486 Mr Pope: I am just not convinced by the argument which says the absence of any evidence is proof that there is an absence of weapons of mass destruction. The claims that your source has made are of the gravest nature, which is that the Government in the September dossier exaggerated the threat posed by Iraq so as to persuade Parliament to vote for war. There were two specific claims, one about the 45 minutes and one about uranium from Africa. We have already heard that it is possible to deploy certainly chemical weapons at 45 minutes' notice. It may not be possible to deploy a missile, but it is not impossible to deploy a whole range of chemical weapons at 45 minutes' notice. The claim about uranium, which may not have veracity but at the time was an extremely plausible claim which was widely accepted in the intelligence community, that is that Niger was a country which had proliferated uranium and it was

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certainly known that Saddam Hussein was trying to purchase uranium, is not an unreasonable claim. Therefore, the general claim that your source has made that the Government exaggerated their case against Iraq has not been made unless you can give the Committee further evidence of exaggeration.

Mr Gilligan: My source said, as many others have said, technical experts and so on in the field, that if any weapons of any description had been held at 45 minutes' notice they would have been found by now, almost certainly because they could not have been particularly deeply concealed. If they had to be deployable at that short notice they cannot have been particularly deeply concealed. That is the testimony of my source and that is the testimony of many others in the field.

Q487 Chairman: You have conceded that we were talking about a source which must have given that information prior to September, possibly in May or June and there has been ample time and opportunity since that time for concealment, destruction or whatever. So the source could have been correct at the time it was given.

Mr Gilligan: My personal view is that I think it unlikely and illogical that Saddam, faced with an imminent threat to his regime, his very existence, would give up his weapons immediately before a war is about to start.

Q488 Mr Illsley: Is there any indication of the date of the particular piece of intelligence which refers to 45 minutes? The reason I ask that is because we have heard conflicting evidence as to Iraq's former capability of deploying weapons in that it has been suggested to us that in 1991 Iraq did deploy chemical weapons on the battlefield but did not use them. I think that has since been contradicted. Could it be that that piece of evidence is a piece of evidence dating back to the 1990s and simply been regurgitated later?

Mr Gilligan: I do not know, I just have not got the evidence to answer that, but I would hope not because it is 12 years old.

Mr Illsley: A lot of what we are looking at is 12 years old.

Q489 Mr Pope: I have a few questions on a different topic. Yesterday the Committee was told by a former chairman of the Joint Intelligence Committee that people who work for the agencies do not speak to the press and indeed should not speak to the press, but you have told us today that you have up to four sources who do. Does that not lend some credibility to John Reid's claim that there are "rogue elements" in the intelligence services briefing against the Government?

Mr Gilligan: No. The person I spoke to on the 45 minutes story was in the absolute main stream of this issue and could not be in any way

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described as a rogue element. I do not think it should come as a shock to anyone to learn that some people do talk to the press sometimes, even when they are not supposed to.

Q490 Mr Pope: We are politicians so we are unlikely to be shocked by people speaking to the press, but there is an issue here about people in the security services not just talking to the press but acting as a press officer, ie verifying factual information. What we have here are people who work in the agencies briefing against the Government's policy to members of the press. That is an entirely different issue.

Mr Gilligan: It is impossible for me to say the motives, but what I can clearly say is that it went on in an extremely widespread fashion. Other reporters in the BBC were told the same, at least two or three other reporters in the BBC, TV News, *Newsnight*, the security correspondent. Equally, reporters on *The Times* were told it, a reporter on *The Guardian* was told it, a reporter on *The Independent* was told it, a reporter on *The Sunday Times*, the *Observer*, *The Independent on Sunday*, they were all told the same thing. It is not an isolated occurrence.

Q491 Chairman: Could they have been drawing on the same source?

Mr Gilligan: I think even Downing Street has acknowledged that the sources were plural. In that famous John Reid interview he spoke about "rogue elements" in the plural and "bad apples" plural, so I think it must have been more than one.

Q492 Mr Oler: But your one became four.

Mr Gilligan: No. As I explained before, the specific story was from the single source. The other three were over the last six months over various other stories.

Q493 Mr Pope: It is a widespread practice for people who work in our intelligence services to brief journalists, the effect of which may be to undermine Government policy.

Mr Gilligan: I have no opinion and I have no evidence to judge whether the intelligence agencies were seeking to undermine Government policy. It is not my role as a journalist to make that judgment.

Q494 Mr Pope: I was not suggesting that the agencies were undermining Government policy, I was suggesting that people who work for the agencies on a widespread basis brief journalists.

Mr Gilligan: Again, it is not my role to judge either the agencies or the people working for them.

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Q495 Mr Pope: You have just given us a list of newspapers that were briefed.

Mr Gilligan: But that is just a fact, that happened.

Q496 Mr Pope: And is it still happening?

Mr Gilligan: It is impossible to adduce the motives of all this.

Q497 Mr Pope: I am not trying to adduce the motives, I am pointing to the fact that people who work for the intelligence services on a regular and widespread basis brief journalists and that is an on-going practice.

Mr Gilligan: That does seem to be the fact of the case in this story because, as I say, it has been going on for several weeks.

Q498 Andrew Mackinlay: The document which you read with the intelligence officer present, which document was that?

Mr Gilligan: It was a defence intelligence report from the defence intelligence staff terrorism analysis sub-group, D-TAG, dated about 13 January from memory. It was about links between Iraq and terrorist organisations and it said, among other things, again this is from memory, that there had been links between Saddam and al-Qaeda in the past but they had floundered due to incompatible ideology. That was shown to me in response to the Prime Minister's allegations that there was a link between Iraq and al-Qaeda.

Q499 Andrew Mackinlay: Where did you see this document? I am not being facetious. Was it in the hostelry, was it in his office, was it on your territory? Where did you see it? Paint a canvas for me as to where you would have seen this.

Mr Gilligan: It was in an office.

Q500 Andrew Mackinlay: Your office?

Mr Gilligan: I did not say that.

Q501 Andrew Mackinlay: I do not blame you. If people are prepared to talk to you then you cannot say, "I don't want to talk to you". Was this in his office?

Mr Gilligan: I cannot say any more because it would compromise the source.

Andrew Mackinlay: You have helped us on something which is at a slight tangent to the main inquiry. As so often happens in inquiries, some other important things have emerged. Clearly, as I believed prior

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to this hearing, intelligence officers do talk to the press.

Q502 Andrew Mackinlay: Do you sometimes solicit the information or do they approach you folk, in your experience?

Mr Gilligan: Both is the answer.

Q503 Andrew Mackinlay: And they have your telephone numbers and you have theirs?

Mr Gilligan: Yes.

Q504 Andrew Mackinlay: So you can pick up the phone and say, "I want to bounce this off you", and they might say, "No comment", or they might say, "It sounds credible", and sometimes they go to extraordinary lengths and say, "Come and have a cup of tea and I'll leave something on the desk, I won't leave the room." That is a possible scenario, is it not?

Mr Gilligan: That is right. It is normal journalistic contact.

Q505 Andrew Mackinlay: I want to come to this business of the missiles that you were talking about a few moments ago. I think what you were saying was that your source indicated to you that he felt that the intelligence source was flawed but that this was the intelligence.

Mr Gilligan: That is exactly right.

Q506 Andrew Mackinlay: He was not flawed but he was saying the intelligence was flawed.

Mr Gilligan: That is right. He was describing the information provided by the original intelligence source, ie the Iraqi General, if it was an Iraqi General, to the British source or the Americans or whoever got it in the first place.

Q507 Andrew Mackinlay: I cannot really see what the beef is. This business of the 45 minutes deployment, in a sense we will never know, will we? Clearly the intelligence was there. There was sufficient intelligence there to say that there was a possibility of this being credible. I have to tell you, if I may share this with you, I do not think this 45 minutes question crossed my radar screen and it certainly was not a material factor in how I voted. Even if there were legislators and members of the public who were really exercised by this 45 minutes issue, after listening to the evidence yesterday and indeed to yours today, I cannot see how it was not corroborated by a second intelligence source but it was sufficiently credible. Bearing in mind this translation, and presumably intelligence sources come via a rather circuitous route rather like a Chinese whisper, some of it might have got lost there. Is that fair?

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Mr Gilligan: All I can do is pass on to you what my source said. He said that he was concerned about the authority of this source and about its reliability. The 45 minutes claim did make a pretty big splash at the time. There were two main stories out of that dossier, the first was nuclear and the second was about 45 minutes.

Andrew Mackinlay: The other story is the al-Qaeda linkage. I think most people thought from day one there was no linkage. On a number of occasions I have willed the Foreign Secretary and the Prime Minister to say there was no linkage and they did not do that. I thought their rather coded phrases meant that there was no linkage. I am surprised you have asserted today that Mr Blair said there was a linkage with al-Qaeda.

Chairman: Can you give us its source?

Andrew Mackinlay: I do not think he ever did that. I think he should have been candid and said there was no linkage.

Q508 Chairman: Can you give us the source of the linkage between al-Qaeda and Iraq because certainly the Prime Minister, to my recollection, told the Liaison Committee on or about 9 July of last year that there was no linkage?

Mr Gilligan: Shortly afterwards, I think at Prime Minister's Questions, certainly in the Chamber anyway, I have not got the exact reference, he quite clearly said that there was a linkage between al-Qaeda and Iraq.

Q509 Andrew Mackinlay: Let us not labour the point. It would be useful if you could point to what you think was this fairly unequivocal statement. I did not there was one, but I might have missed it.

Mr Gilligan: I can give you the Hansard reference.

Q510 Andrew Mackinlay: I am not trying to embarrass you. You felt that Blair was doing this on one occasion or more and I am at a loss to know when he did it. I was hoping he would go the whole hog and say there was no linkage.

Mr Gilligan: If you would like, I can write to you or I can give you the Hansard reference.

Mr Illsley: His junior minister made it directly to me in a debate on Iraq on the floor of the House.

Chairman: We can follow that up as a point of fact.

Q511 Mr Maples: I have a couple of things I would like to ask you about. It has been suggested to this Committee by various witnesses

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that the 45 minutes issue is kind of irrelevant because if they had weapons they probably would be used within 45 minutes. It seems to me that the relevance of this is it shows this is not just a weapons programme, they have actually got some weapons they can use. Is that how you saw the incentive to bring this 45 minutes question forward in your report?

Mr Gilligan: That is how my source put it. The 45 minute claim is an important one, he believed and I believe, because it did make the case that there were actual weapons with chemical or biological tips ready to go. My source's belief on this is that they had not managed to weaponise CBW. His actual quote was that they had not got useable weapons at that point. They had obviously weaponised in the past but they had not got useable weapons at the point of the issue of the dossier. What he said is that, "I believe it is 30 per cent likely that there was a CW (Chemical Weapons) programme in the six months before the war and, more likely, that there was a BW (Biological weapons) programme, but it was small because you could not conceal a larger programme. The sanctions were actually quite effective, they did limit the programme."

Q512 Mr Maples: Like my colleague, I supported the Government over this and I would again. If you were trying to make the case to an audience with doubts about this and you were thinking how this was going to play in the press, this seems to me to be a very important claim to bring forward because I think you said to us it did provide the headline for a lot of reporting.

Mr Gilligan: I remember it was the headline in the *Evening Standard* that day and I am pretty sure it was the headline in several of the other papers the next day. I want to make the point that the 45 minutes and the uranium issues were the only two items of the dossier which we discussed, but he was unhappy with the general tone and tenor of the dossier as well. His words were, "Most people in intelligence were not happy with it" - that is the dossier - "because it did not reflect the considered view they were putting forward." It is as much a matter of language, phraseology --- As you know, an intelligence report of any description is pretty unexciting to be honest. It is couched, it is full of caveats, it is full of conditionals.

Q513 Chairman: Have you seen such reports?

Mr Gilligan: Yes.

Q514 Chairman: In what circumstances have you seen JIC reports?

Mr Gilligan: In historical circumstances and in the Public Records Office and once again when one was shown to me.

Q515 Chairman: The Public Records Office, you mean of 30 years

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ago?

Mr Gilligan: Yes.

Q516 Mr Maples: What he was really concerned about was he felt that somebody was trying to make this report more newsworthy than it would otherwise have been and if that was the intention then it was hugely successful.

Mr Gilligan: It did make rather a lot of news. That is essentially it, that is exactly it. He started off by talking about the general tone and I pressed him for specific individual problems in the dossier, but it was a matter of the tone as well. It is the belief of some of my sources that there is a slight - this goes to the heart of the question that Mr Chidgey was asking - cultural conflict between the world of intelligence, the rather cautious and arid world of shifting different bits and pieces of information, trying to make something out of them, and the world of politics.

Q517 Mr Maples: I am sure you are aware, but in November 1998, after weapons inspectors had been thrown out of Iraq and before the Desert Fox bombing operation, the Foreign Office, under the signature of the then Minister of State Derek Fatchett, did write a letter to all Members of Parliament and published a three page document on the current situation with Iraq's WMD programme, obviously drawing on intelligence sources and it was very much more cautious than this document. It said, for instance, that "the Iraqi chemical industry could produce mustard gas almost immediately and limited amounts of nerve agent within months". Saddam almost certainly retained some BW production equipment, stocks of agents and weapons. In the dossier that we are talking about it says, "As a result of the intelligence we judged that Iraq has continued to produce chemical and biological agents." Do those two statements strike you as they strike me, as different, the latter one being much stronger?

Mr Gilligan: Yes. One of the other things that again led me to believe the credibility of my source was that only a few weeks before the publication of the September dossier, the Blair dossier, Whitehall officials had been describing it to the press as rather uneventful. I remember Mike Evans, the defence editor of *The Times*, wrote a story at the end of August in which a Whitehall official was quoted as saying that the dossier would not be revelatory. Richard Norton-Taylor, who the security editor of *The Guardian*, both those people very long standing journalists in their field, wrote a story at the beginning of September, about a week after Mike Evans, saying that the dossier would no longer have a role because there was nothing to put in it, that was a source to a senior Whitehall source, and then three weeks after that the dossier appeared and it was more revelatory than those accounts had it. So something had changed in that three week period.

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Q518 Mr Maples: When your source said to you it was the general tone of the thing and as a result of you pressing him he gave as an example the 45 minutes issue, what he seems to be saying is an attempt was being made to make this document much more newsworthy than it would otherwise be and strengthening up claims like that which on the face of it do not seem to be a huge difference in wording, but "continued to produce" is different from "continues to have a capability to produce", these are the sort of things we are talking about.

Mr Gilligan: The words of my source was that it was transformed in the week before it was published to make it sexier. Given all that you have said and given the other things I have described, I think that is a credible allegation.

Q519 Sir John Stanley: Mr Gilligan, in answer to Mr Mackinlay's question you said that you had been shown a defence intelligence staff document in an office building which was a document that rebutted what the Government had said about a linkage between al-Qaeda and Saddam Hussein. Was that document the document classified "Top Secret" to which you referred in your earlier evidence?

Mr Gilligan: Yes, it was.

Q520 Sir John Stanley: Can you remember whether the classification of that document was just top secret or was it a top secret code word?

Mr Gilligan: I am afraid I cannot.

Q521 Sir John Stanley: The office you referred to, was that office on Ministry of Defence premises?

Mr Gilligan: I cannot answer anything about this as it would compromise the source.

Q522 Sir John Stanley: When you had your discussion with your source in the context of the 45 minute claim, are you saying to us that that was the same source with which you had the office conversation and were shown the top secret document in relation to the al-Qaeda linkage issue?

Mr Gilligan: No, it was a different source. As I said, there were four altogether on this issue of Iraq and the use of intelligence material on Iraq.

Q523 Sir John Stanley: Coming back to the source for the 45 minute claim and the suggestion that that claim was unreliable, did that source convey that to you verbally or was that based on offering you sight of a different document?

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Mr Gilligan: No, it was conveyed verbally.

Q524 Sir John Stanley: Did you ask for any documentary evidence?

Mr Gilligan: I cannot remember. I think I might have done more in the hope than expectation.

Q525 Sir John Stanley: So the whole of the 45 minutes claim rested solely on non-documentary evidence from your one source that you have been referring to?

Mr Gilligan: It rested on several things. As I said, it rested on the comparison between what those Whitehall officials told the newspapers at the end of August or the beginning of September and what subsequently emerged in the dossier that seems to indicate a change. It rested on the authority and credibility of my source, which is substantial, it rested on what he said. It rested on the events which had taken place in Iraq after the end of the war, the failure to find weapons of mass destruction. It rested on a statement by Donald Rumsfeld and it rested on the Government's previous admitted track record of embellishing material in intelligence dossiers, as was shown with the February one. So it rested on a number of things other than the single word of my source, but the single word of my source was the centre of it.

Q526 Sir John Stanley: Going back to the meeting you had in the office at which you saw the top secret documents in relation to an al-Qaeda linkage, was the document volunteered to you or did you solicit it?

Mr Gilligan: Again I think I had better not say because I think it would be too much of a compromise to my source, I am sorry.

Q527 Sir John Stanley: And does your employer, the BBC, give you any guidance as to your personal potential position in being in a position where you may be soliciting highly classified material?

Mr Damazer: Mr Chairman, may I answer that?

Q528 Chairman: Yes, I think this is a matter of policy which you can probably answer, Mr Damazer.

Mr Damazer: All of our journalists who deal with sensitive stories of this kind would have access to the BBC's own legal advice. Andrew, being one of the more experienced journalists in defence and intelligence matters, would be aware of the broad background of the Official Secrets Act and would be able to avail himself of legal advice at any point in any story that he was pursuing.

Q529 Chairman: And what is the specific advice in respect of the

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handling of classified UK documents?

Mr Damazer: In the context of this story, that did not arise. As Andrew has suggested, there was no transaction involving a document.

Q530 Chairman: Surely the document was shown?

Mr Damazer: We are talking about the 45 minute allegation?

Mr Gilligan: That was a separate story.

Mr Damazer: I beg your pardon, but I thought you were referring to the 45 minute story. In the context of the 45 minute story, there would have been no need to worry about transactions involving documents because there were no transactions involving documents.

Chairman: And in respect of the other matter?

Q531 Sir John Stanley: Can I just clarify this. The whole discussion, I am quite certain the witness was quite aware of it, the discussion in relation to the document was solely in the context of the document which Mr Gilligan has said related to the rebuttal of the Government's claim about linkage with al-Qaeda.

Mr Damazer: In the context of the al-Qaeda documentation, I would not have been involved and would not have expected to have been involved in a direct conversation with Andrew about the legal risks, if any, involved in pursuing that story. I would have to say on a day-to-day basis I would expect our journalists to be in receipt of information which could potentially be embarrassing and damaging to a number of government agencies and not merely government agencies. It is part and parcel of what we do in the news-gathering of a story. There clearly has to be a sensible estimation of the degree of risk involved in each of those transactions and for the vast majority of them it is established that the risk is very low. In this specific instance, there would have been a discussion, as there was with the 45 minute story, between Andrew and his immediate editorial line management who would have plenty of experience in doing investigative stories. That is one of the *Today* programme's specialities and they would have immediate access to a lawyer if they felt that the risk was sufficiently large that they needed to have access to a lawyer.

Q532 Chairman: So we are told that a top secret document was shown to one of your employees. What is the advice given by the BBC in such circumstances?

Mr Damazer: Each circumstance will vary. Would I allow any of our journalists to be in receipt of top secret documents? Of course I would if I felt that the document was properly procured, that is to say, that there had been no bribery or malfeasance and the document contained

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information which was appropriate to publish, and then of course I would think that it was the job of our journalists to pursue such information and to publish it in an appropriate way.

Q533 Mr Illsley: When you say "bribery or malfeasance", does that exclude payment or include payment?

Mr Damazer: There is no blanket for the way an individual transaction of documents and information which leads to a story should or should not be considered to be appropriate. What I can say, on sensitive stories, is that BBC journalists are not only expected to be aware, but they have line management who can check with them about the basis on which information has been derived. There may very well be circumstances in which the transaction is accompanied by a meal, some hospitality, some arrangement of some kind. I would not expect serious documentary evidence of this kind to be the kind of documentary evidence for which there was a cash transaction.

Q534 Mr Illsley: Could I ask you, Mr Gilligan, did you pay for any of the information you referred to?

Mr Gilligan: No.

Q535 Mr Illsley: You have referred to four sources of your own, receiving top secret documents in an office, having sight of intelligence reports, and you have referred to a number of your colleagues in different newspapers who also have their own sources. Basically what you are saying is that the intelligence services leak like a sieve basically.

Mr Gilligan: No, I am not saying that.

Q536 Mr Illsley: Well, you could forgive me for thinking that. Anybody reading today's evidence would draw the immediate conclusion that our security services have easy access to journalists.

Mr Gilligan: No, I am not going to have words put into my mouth. I think the intelligence services leak from time to time, like many other branches of the state, but probably less so than many others.

Q537 Mr Illsley: Would you say that your access to your sources is relatively easy and it does not really take a lot of digging to get the information you need?

Mr Gilligan: Well, I am sorry to be boring, but it really does depend and it is impossible to generalise.

Q538 Andrew Mackinlay: It has struck me, listening to this evidence, that a lot of your fellow journalists in other news outlets will be saying, and indeed sources of yours and theirs in the intelligence

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and security service, "What a rotter Gilligan is. He has really spilt the beans. Those of us who speak to journalists are going to have to clam up", and I imagine, as we are talking, there are memos going out, saying, "Don't speak to anybody". It did occur to me that you have probably killed off these geezers speaking to anybody like yourself for the immediate future and also other journalists will also have their sources clamming up. The other thing is that I would have thought you would have compromised your source because if the intelligence outfits cannot find out who this person is from what you have said, I would have thought we might as well pack up and go home. One day you spoke to them on the telephone and obviously went into their offices and photographs were done in the offices, they know the documents, et cetera, et cetera, but it struck me that this is all a bit clumsy unless, and this is the question I am coming to, unless there is a culture in the intelligence and security services where they will stick together. In other words, they will not at this moment be pursuing who spoke to you and showed you these top secret documents, in which case it does raise the issue of whether they are a law unto themselves if they do not like the Government.

Mr Gilligan: Again as I said at the beginning, I cannot really offer a characterisation as to whether this was authorised or not. You have said that this story might shut things down, but what it actually led to was a sort of flurry of disclosure to lots of other newspapers and broadcasters and I just think people are going to have to draw their own conclusions about this, as about so many things in this sort of secret world.

Q539 Andrew Mackinlay: The other question I want to ask you is this: I might be wrong, but certainly Members of Parliament have had unsolicited, on occasions, top secret documents land on their desks and I know on at least one particular occasion Mr Plod came round. You will gather I appreciate your views, but I think it is a nonsense the Official Secrets Act in many respects and one of them is that actually to see top secret documents can be deemed an offence. Is that your understanding as a journalist?

Mr Gilligan: I think probably something like three-quarters of the national media would be banged up if seeing documents was an offence.

Q540 Andrew Mackinlay: I am sure you are right on that and I share your view of cynicism, but I think that is the law, is it not, Mr Damazer?

Mr Damazer: There are circumstances in which obtaining and publishing top secret information would be considered to be a prosecutable offence.

Q541 Andrew Mackinlay: I did not say publication of, but just

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actually to have sight of.

Mr Damazer: I am not certain about that and I would need to refer back to the books in order to answer that.

Andrew Mackinlay: The only thing that many Members of Parliament will be concerned about, and you might share this view, is that there clearly is this continuous dialogue, relationship between the journalists, and I understand what your duty is, and that of the security and intelligence services, yet Members of Parliament cannot see these people, we are not supposed to know who they are, and then the Security and Intelligence Committee go away in a white van or something or other. There really is something very wrong.

Chairman: It is an interesting comment, but not for this witness, I think.

Q542 Mr Chidgey: If I can just take us back, Mr Gilligan, to some comments you were making, it seems, a long while ago now and back to the discussion we were having with you around the 45 minute claim, can I just check with you first to see if I have understood this correctly. Was it the same source to whom you were speaking who discussed the credibility of the 45 minute claim, the uranium from Niger claim and the one who discussed the capability of Iraq in its chemical weapons programme, was that the same source?

Mr Gilligan: No, there were four different people, as I say.

Q543 Mr Chidgey: The reason I ask that is because I particularly wanted to ask you a little more about the preparedness of Iraq on the chemical weapons front. You said that there was, was it, a 30 per cent chance that they had small quantities?

Mr Gilligan: Yes, this is a quote from my source and I will give it to you again. "I believe it is 30 per cent likely there was a CW programme in the six months before the war and more likely that there was a BW programme, but it was small."

Q544 Mr Chidgey: When you say "small", can you quantify that?

Mr Gilligan: Small enough to be heavily concealed.

Q545 Mr Chidgey: Yes, but there is a difference between having a sufficient chemical weapons arsenal for a particular type of military action and, if you like, a country-wide action. It depends what the Iraqis were preparing for.

Mr Gilligan: He did not quantify that, I am afraid.

Q546 Mr Chidgey: Did you at any time discuss with any of your

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sources, as you might have done as a journalist, what the intelligence services foresaw as to what would happen next? I will give you an example. Did you discuss with them at all whether or not Saddam Hussein may have a plan B in the event that if war was inevitable, he would immediately leave the country with most of his family, his entourage and a huge amount of cash, which would not just happen instantly, but there would have to be planning about that, and whether or not there was any indication that, as was subsequently reported, there were plans to move chemical weapons out of the country and just ship them out to somewhere else, moving them around the world in converted cargo vessels? Were there any of those sorts of discussions?

Mr Gilligan: I was personally quite concerned about what might happen next because I was in Iraq during the war. It was the subject of a lot of anxious speculation among the journalists there. I was in Baghdad. This was not something discussed by my source, I am afraid. Clearly there are a number of hypotheses and we can go through them if you want, but I do not think my hypothesis ----

Q547 Mr Chidgey: No, I want to stick fairly close to the terms of the inquiry. The real issue I have here is that you did make a comment earlier on that one of the reasons which verified the views which you have expressed was that we had not found any evidence of weapons of mass destruction. I want to test with you that one of the options was that they actually had been removed and removed from the battlefield before the war even got underway.

Mr Gilligan: I said earlier, and this is really a personal view, I think it would be illogical to do that in the face of an imminent existential threat.

Q548 Mr Chidgey: Not if you have decided you are going to leave the country, and you might have planned already to take billions out of the bank.

Mr Gilligan: I think it is a bit difficult to say because there is just no final certainty on this issue.

Q549 Mr Chidgey: But it did not just happen, it must have been planned. That is the point I am making to you.

Mr Gilligan: It is just a little bit difficult to get into this kind of hypothesis on what is almost certainly insufficient evidence. Saddam may have dispersed or abandoned the programme because of the activities of the UN rather than because of the imminence of the war. He may never have had a particularly big programme, but wanted to maintain strategic ambiguity in the belief that that would deter potential aggressors, a sadly mistaken belief obviously because that was exactly the thing that encouraged the United States to attack it.

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He always had manoeuvrability ----

Q550 Mr Chidgey: It does rather reinforce the point made by Mr Pope earlier that just because we have not found them does not mean they do not exist.

Mr Gilligan: All I would say is that none of these things can be said with any certainty.

Q551 Mr Chidgey: Precisely.

Mr Gilligan: And certainly cannot be said by my source or by anyone else in the intelligence community and I would not wish to characterise my source.

Q552 Mr Chidgey: So the only degree of certainty that your source has or had was that he did not believe the 45 minutes?

Mr Gilligan: No, as I say, my source was reasonably sure, as are all the other intelligence people I have spoken to, that Iraq had a WMD programme of some description, but it was smaller and less of an imminent threat than that claimed by the Government. That was the view of my source and the view of several other people's sources in the rest of the media and indeed other sources I have spoken to, intelligence and non-intelligence.

Q553 Mr Olnier: Given that the 45 minutes is in no doubt because it was in both documents, was your source really wanting to highlight it to get at the Government or his immediate boss who was not listening to him?

Mr Gilligan: I just cannot describe that kind of motive. I just have no evidence to do that, I am sorry.

Q554 Mr Olnier: I cannot understand where a non-story became a story because the 45 minutes was in both documents. If you have got one intelligence officer doubting the data which other intelligence officers have gathered, that does not seem to me to be something that perhaps should be laid at the door of Number Ten.

Mr Gilligan: When you say both documents, you mean the JIC assessment and then the public document presumably. Without knowing the contents of the JIC assessment, it is difficult for me to comment on that, but I can say, I think, that, as I said before, one of the concerns of my source was about the tone of the whole production, the Blair dossier. It is perfectly possible for the same evidence, for the same essential 45 minute intelligence to be presented in different ways. In the JIC dossier, and I have not seen it, it might have been hedged about with all sorts of caveats, it might have appeared buried very deep in the paper somewhere ----

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Q555 Chairman: And it may not.

Mr Gilligan: Indeed, absolutely, whereas in the Blair dossier my source's complaint was that its importance was given undue prominence. It appeared no fewer than four times in the Blair dossier, let's not forget.

Q556 Mr Pope: Did you approach your source over the 45 minute claim or did he approach you?

Mr Gilligan: No, I initiated the meeting, but not specifically over the 45 minute claim. As I said, I initiated the meeting to discuss Iraq generally.

Q557 Mr Pope: And it was he who raised the 45 minutes then?

Mr Gilligan: He spoke of his concern that the dossier had been sexed up, that "it had been made sexier" were his words, and then I asked for specific examples.

Q558 Mr Chidgey: You did?

Mr Gilligan: Yes.

Q559 Chairman: Can I sum up the position as this: you approached, on your initiative, a source in the intelligence services?

Mr Gilligan: Yes.

Q560 Chairman: Is that correct?

Mr Gilligan: Absolutely, yes. Well, I would characterise this source in the same way as I characterised him on the programme.

Q561 Chairman: You took the initiative in calling to see him. You had met this individual on a number of occasions in the past?

Mr Gilligan: Yes.

Q562 Chairman: You were in an office and clearly you referred to notes, so you took extensive notes of that conversation?

Mr Gilligan: Yes, I took notes certainly, yes.

Q563 Chairman: How extensive are your notes?

Mr Gilligan: I am not really sure. What I was referring to was a summary of what was broadcast.

Q564 Chairman: But did you make contemporaneous notes of the

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conversation?

Mr Gilligan: Yes.

Q565 Chairman: For how long did that meeting take place?

Mr Gilligan: A couple of hours perhaps, an hour and a half.

Q566 Chairman: So the man of probity, you have mentioned, was prepared to come to you for a couple of hours at your instigation and give you that sort of information over that period?

Mr Gilligan: Yes, that is right.

Q567 Chairman: Because he felt deep unease?

Mr Gilligan: Well, that is what he said. I can only tell you what he said.

Q568 Chairman: And such deep unease that the man of probity did not use any official channels to voice his disquiet?

Mr Gilligan: I do not know whether he did or not.

Mr Illsley: That is not strictly true because you just said that you arranged a meeting generally on Iraq, not specifically about the 45 minutes.

Q569 Mr Illsley: Because you asked this man to come to you.

Mr Gilligan: Yes, we talked about a number of things to do with Iraq. I was genuinely curious as to where the weapons of mass destruction were. We moaned about the railways for five minutes.

Chairman: I think we have covered the ground and thank you both very much.

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