

SECTION 2

DECISION-MAKING WITHIN GOVERNMENT

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Introduction

1. This Section addresses:

- the roles and responsibilities of key individuals and bodies; and
- the machinery established in order to make decisions pre-conflict, and post-conflict.

2. This Section does not address:

- the Inquiry's conclusions in relation to the decision to join the US-led invasion of Iraq, which can be read in Section 7.

Roles and responsibilities

Cabinet

3. Under UK constitutional conventions – in which the Prime Minister leads the Government but is not personally vested with the powers of a Head of State – Cabinet is the main mechanism by which senior members of the Government take collective responsibility for decisions that are of critical importance to the public. The decision to deploy UK Armed Forces to Iraq clearly falls into that category.

4. Cabinet is formally a Committee of the Privy Council, chaired by the Prime Minister.

5. In 2003, the *Ministerial Code* said:

“The Cabinet is supported by Ministerial Committees (both standing and ad hoc) which have a two-fold purpose. First, they relieve the pressure on the Cabinet itself by settling as much business as possible at a lower level or, failing that, by clarifying the issues and defining the points of disagreement. Second, they support the principle of collective responsibility by ensuring that, even though an important question may never reach the Cabinet itself, the decision will be fully considered and the final judgement will be sufficiently authoritative to ensure that the Government as a whole can properly be expected to accept responsibility for it.”¹

6. The *Code* also said:

“The business of the Cabinet and Ministerial Committees consists in the main of:

- a. questions which significantly engage the collective responsibility of the Government because they raise major issues or policy or because they are of critical importance to the public;
- b. questions on which there is an unresolved argument between Departments.”

¹ Cabinet Office, *Ministerial Code*, July 2001, page 3.

7. The Prime Minister was and is responsible for the *Code* and for judging whether Ministerial behaviour is consistent with its standards.

8. The *Ministerial Code* encapsulates the role of Cabinet Committees in identifying, testing and developing policy options; analysing and mitigating risks; and debating and honing proposals until they are endorsed across government. Cabinet Committees are relied on every day to keep the process of policy-making moving.

9. Although the practice of using Cabinet Committees has been a constant feature over many decades, the number of Committees, the subjects they consider and the way in which they are used has evolved, and has varied from Prime Minister to Prime Minister.

10. Discussion in full Cabinet meetings differs from that in Cabinet Committees. Cabinet would not normally be expected to explore the detailed aspects of a policy.

11. In his *Statement of Reasons* for the exercise of the executive override under Section 53 of the Freedom of Information Act 2000 (the ‘Ministerial Veto’) to prevent the disclosure of the minutes of meetings of Cabinet on 13 and 17 March 2003, Mr Jack Straw, Lord Chancellor from 2007 to 2010, set out the then Government’s perspective on the functions of Cabinet.

12. Mr Straw wrote:

“Serious and controversial decisions must be taken with free, frank – even blunt – deliberation between colleagues. Dialogue must be fearless. Ministers must have the confidence to challenge each other in private. They must ensure that decisions have been properly thought through, sounding out all the possibilities before committing themselves to a course of action. They must not feel inhibited from advancing opinions that may be unpopular or controversial. They must not be deflected from expressing dissent by the fear that they may be held personally to account for views that are later cast aside.

“Discussions of this nature will not however take place without a private space in which thoughts can be voiced without fear of reprisal, or publicity. Cabinet provides this space. If there cannot be frank discussion of the most important matters of Government policy at Cabinet, it may not occur at all. Cabinet decision taking could increasingly be drawn into more informal channels, with attendant dangers of lack of rigour, lack of proper accountability, and lack of proper recording of decisions.

...

“The [Information] Tribunal thought that the deployment of troops was a hugely important step in the nation’s recent history and that Cabinet should be accountable for it. I also believe that to be the case, but accountability for this decision – as for any other Cabinet decision – is properly with the Government as a whole and not with individual Ministers ...

“Collective responsibility requires that Ministers should be able to express their views frankly in the expectation that they can argue freely in private while maintaining a united front when decisions have been reached ...

“If permitted to demonstrate their degree of attachment to any given policy, Ministers could absolve themselves from responsibility for decisions that they have nevertheless agreed to stand by ... Thus, every Minister in the 2003 Cabinet could legitimately be held to account for the decision to use armed force in Iraq. The resignation of Ministers at the time of this particular decision recognised and reinforced that principle.

“... The Government is committed to ensuring public participation in its decision making: it exposes its thinking to Parliament and public via parliamentary debate, public consultation, and engagement with the media ...”

13. Mr Straw also described a “decision to commit British Service Personnel to an armed conflict” as being an “exceptionally serious” issue.

14. Many of Mr Straw’s points were reiterated by Mr Dominic Grieve, the Attorney General, when maintaining the veto in 2012.

15. Mr Geoff Hoon, Defence Secretary from 1999 to 2005, told the Inquiry that he had:

“... always seen the position of any Secretary of State as being in a sense the department’s voice in the Cabinet, but equally, the Cabinet’s voice in the department. So it is a two-way process ...”²

Role of the Civil Service

THE CABINET SECRETARY

16. The Cabinet Secretary is the most senior civil servant providing policy advice to the Prime Minister.

17. There is no fixed set of functions attached to the role. Priorities and objectives for each appointee are set by the Prime Minister of the day.

18. Certain responsibilities sit by convention and long practice with the Cabinet Secretary:

- overall responsibility for security and intelligence systems and structures (in 2003, day-to-day responsibility was delegated to Sir David Omand by Sir Andrew Turnbull);

² Public hearing, 19 January 2010, page 178.

- responsibility for the machinery of Government (including the division of departmental responsibilities and the Cabinet Committee structure); and
- the organisation and recording of Cabinet meetings.

19. Particularly in relation to the latter two responsibilities, the Cabinet Secretary has a dual responsibility to the Prime Minister and to Cabinet collectively, and to both former and future governments.

20. In 2009, three former Cabinet Secretaries³ told the House of Lords Select Committee on the Constitution:

“... each of us, as Secretary of the Cabinet, has been constantly conscious of his responsibility to the Cabinet collectively and of the need to have regard to the needs and responsibilities of the other members of the Cabinet (and indeed of other Ministers) as well of those of the Prime Minister. That has coloured our relationships with Number 10 as well as those with other Ministers and their departments.”⁴

21. During Sir Andrew Turnbull’s tenure, the Cabinet Secretary was Head of the Home Civil Service, with leadership of the Civil Service as a whole. This role placed on the Cabinet Secretary a duty of care for the well-being of civil servants and the responsibility to be a fair employer.

22. The Cabinet Secretary has line management responsibility for departmental Permanent Secretaries across Whitehall.

23. The first edition of *The Cabinet Manual*, published in October 2011, ascribes the following specific responsibilities to the Cabinet Secretary:

- “The Cabinet Secretary is head of the Cabinet Secretariat.”⁵
- “The Cabinet Secretary, unless unavoidably absent, attends all meetings of Cabinet and is responsible for the smooth running of Cabinet meetings and for preparing records of its discussions and decisions.”⁶
- “Permanent Secretaries are responsible to the Cabinet Secretary or the Head of the Civil Service for the effective day-to-day management of the relevant department, or the particular issues for which they are responsible ...”⁷

³ Lord Armstrong of Ilminster, Lord Butler of Brockwell and Lord Wilson of Dinton.

⁴ Fourth Report from the House of Lords Select Committee on the Constitution, Session 2009-10, *The Cabinet Office and the Centre of Government*, HL Paper 30.

⁵ Cabinet Office, *The Cabinet Manual*, October 2011, page 36.

⁶ Cabinet Office, *The Cabinet Manual*, October 2011, page 36.

⁷ Cabinet Office, *The Cabinet Manual*, October 2011, page 58.

24. The *Manual* also describes the Cabinet Secretary’s advisory role:

“The Prime Minister decides – with the advice of the Cabinet Secretary – the overall structure of the Cabinet committee system, including ... the terms of reference of each Cabinet committee.”⁸

25. The *Manual*, according to Sir Gus O’Donnell’s preface, records “the current position rather than driving change”. It is quoted here on that basis.

PERMANENT SECRETARIES

26. The Permanent Secretary (referred to in some departments as the Permanent Under Secretary or PUS) is the most senior civil servant within a government department. He or she is appointed Accounting Officer (AO) for that department.

27. The *Ministerial Code* explained that an AO takes personal responsibility for the propriety and regularity of public finances, for keeping proper accounts, for the avoidance of waste and extravagance and for the efficient and effective use of the resources for which they are responsible.⁹

28. In addition:

“Accounting Officers have a particular responsibility to see that appropriate advice is tendered to Ministers on all matters of financial propriety and regularity and more broadly as to all considerations of prudent and economical administration, efficiency and effectiveness and value for money.”

29. The PUS of the FCO is also designated Head of the Diplomatic Service.

NO.10 CHIEF OF STAFF

30. In 1997, Mr Jonathan Powell was appointed as the first Chief of Staff in No.10. This was a new role for a political appointee.

31. Mr Powell wrote:

“Robin [Butler, the Cabinet Secretary] told us we needed a special Order in Council to allow Alastair [Campbell] and me to tell civil servants what to do. He thought perhaps Tony would want another similar political appointee so he suggested we allow for three positions with special powers.”¹⁰

32. That proposal became the Civil Service (Amendment) Order 1997 which exempted “up to three situations in the Prime Minister’s Office which are designated by him” from the principle of selection on merit based on a fair and open competition, allowing political

⁸ Cabinet Office, *The Cabinet Manual*, October 2011, page 32.

⁹ Cabinet Office, *Ministerial Code*, July 2001, page 22.

¹⁰ Powell J. *The New Machiavelli: How to wield power in the modern world*. The Bodley Head, 2010.

appointees to hold central executive roles.¹¹ The Order was revoked by Mr Gordon Brown when he took office in June 2007.¹²

33. Mr Powell described his role to the Inquiry as “to bring together the foreign and domestic, the political and the Civil Service, the press and the policy bits of Number 10.”¹³ He said:

“It was my job to make sure that Number 10 was co-ordinated to make sure that those things [provision of support and advice to the Prime Minister and government] were happening ... I followed the Prime Minister’s priorities, so I would shift from subject to subject ...”¹⁴

34. In relation to Iraq, Mr Powell said that he operated more in a “link role”, ensuring that Mr Blair was kept up to date and that his decisions were communicated rapidly.¹⁵

35. In his book *The New Machiavelli* Mr Powell wrote:

“The most important task of a chief of staff is saying ‘no’. Politicians always like to say ‘yes’, and it is important they continue doing so if they are to remain popular. But it is not possible to see everyone who asks for a meeting, nor to attend every event... so someone needs to refuse and take the flak for doing so. Likewise, not all advice should be accepted and someone has to send it back asking for more work or even rejecting it.”¹⁶

36. Mr Blair said of Mr Powell: “his main contributions to the office were a knowledge of the Civil Service system, an extraordinary work rate... and a politics that was completely and naturally New Labour”.¹⁷

THE SECURITY AND INTELLIGENCE CO-ORDINATOR

37. Commenting on the decision to create the post of Security and Intelligence Co-ordinator, the Butler Review reported that it had been “represented to us that this change had been particularly necessary after the terrorist attacks of 11 September 2001”.

38. The Butler Review commented that the effect of creating the post was:

“... that the Cabinet Secretary is no longer so directly involved in the chain through which intelligence reaches the Prime Minister. It follows that the Cabinet Secretary, who attends the Cabinet and maintains the machinery to support their decision-making is less directly involved personally in advising the Prime Minister on security

¹¹ Civil Service Order in Council 1995, as amended 1997, section 3 (3).

¹² Letter Smethurst to Watt, 19 August 2013, ‘Ref: Freedom of Information Act Request’.

¹³ Public hearing, 18 January 2010, page 2.

¹⁴ Public hearing, 18 January 2010, page 3.

¹⁵ Public hearing, 18 January 2010, page 5.

¹⁶ Powell J. *The New Machiavelli: How to wield power in the modern world*. The Bodley Head, 2010.

¹⁷ Blair T. *A Journey*. Hutchinson, 2010.

and intelligence issues ... the Security and Intelligence Co-ordinator does not attend Cabinet and is not part of the Cabinet Secretariat supporting Cabinet Ministers in discharging their collective responsibilities in defence and overseas policy matters. We understand that the Intelligence and Security Committee will shortly review how this arrangement has worked.”¹⁸

39. Asked about his dual role in relation to the Chairman of the JIC, Sir David Omand told the Inquiry that the Butler Report had commented that “as a result” of his appointment, the “Cabinet Secretary is no longer so directly involved in the chain through which intelligence reaches the Prime Minister” but that: “It wouldn’t be correct to assume that any Cabinet Secretary had been in the loop in the provision of advice on assessed intelligence.”¹⁹ That had always been “a duty that had fallen on the Chairman of the JIC”. Sir David told the Inquiry that a condition of appointment had been that he “would not interpose his judgement on the content of the intelligence”.

40. Sir David told the Inquiry that his role in relation to the intelligence community was to “make sure it was in good health, argue for its resources and negotiate those with the Treasury, ensure that the Agencies were working together, try to generate some efficiencies and be on the look out ... for new ways in which the community could be made more effective”.²⁰

Departmental roles

The Cabinet Office

41. The Cabinet Office contains the Cabinet Secretariats, which support the Cabinet and Cabinet Committees, and draw staff from across government.²¹ In the period from 2001 to 2003, the Overseas and Defence Secretariat (OD Sec)²² was responsible for foreign and defence policy issues, including Iraq.²³

42. In 2001 and 2002, of about a dozen staff in OD Sec, only two covered Iraq.²⁴ In both cases, Iraq was one part of their job.

43. Sir David Manning became Mr Blair’s Foreign Policy Adviser and Head of OD Sec in September 2001. That marked a change from previous arrangements, in which the two roles had been held by two different individuals.

¹⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898. Page 147.

¹⁹ Public hearing, 20 January 2010, pages 3-4.

²⁰ Public hearing, 20 January 2010, page 5.

²¹ Statement McKane, 8 December 2010, page 1.

²² Later renamed the Foreign and Defence Policy Secretariat (F&DP Sec) and now part of the National Security Secretariat.

²³ Public hearing Manning, 30 November 2009, pages 44-45.

²⁴ Public hearing McKane, 19 January 2011, pages 2-3.

44. Lord Wilson of Dinton, Cabinet Secretary from 1998 to 2002, told the Inquiry that the appointment of Advisers and their role as Heads of the relevant Secretariats in the Cabinet Office had reflected Mr Blair’s desire to have his senior people around him: “He had his own team. That is, to be honest, how he liked to work.”²⁵ Lord Wilson said that he had been against the change.

45. The Butler Review commented that the effect of the decision to combine “two key posts at the top of the Cabinet Secretariat” (the Heads of the Overseas and Defence and of the European Secretariats), with the posts of the Prime Minister’s Advisers on Foreign Affairs and on European Affairs, had been to: “weight their responsibility to the Prime Minister more heavily than their responsibility through the Cabinet Secretary to the Cabinet as a whole”.²⁶

46. The Butler Review acknowledged that the “view of the present post-holders is that the arrangement works well, in particular in connecting the work of the Cabinet Secretariat to that of the Prime Minister’s office”. It also recorded that “it was clear from the departmental policy papers it had seen that there was very close co-operation between officials in the Prime Minister’s office and in the FCO in policy making on Iraq”. The Review commented: “It is nonetheless a shift which acts to concentrate detailed knowledge and effective decision-making in fewer minds at the top.”

47. The Butler Review concluded that the changes to the key posts at the head of the Cabinet Secretariat had:

“... lessened the support of the machinery of government for the collective responsibility of the Cabinet in the vital matter of war and peace.”²⁷

48. Asked whether it would have been helpful for him to have a dual role similar to Sir David Manning’s roles as both the Prime Minister’s Foreign Policy Adviser and the Head of OD Sec, Sir David Omand told the Inquiry that he had “concluded on balance, the arrangement had more disadvantages than advantages”.²⁸ He added that:

“I think there is a helpful external perception of objectivity and support for the collective process amongst departments, if you are on the Cabinet Office side of the ... door rather than in No.10.

“I hesitate to say this, but I think it does over a period of time tend to disenfranchise the Cabinet Secretary. It is a very subtle psychodynamic effect... any Prime Minister ... is going to have a trusted group of inner confidants and advisers and if ... the adviser is simultaneously the Deputy to the Cabinet Secretary and Head of

²⁵ Public hearing, 25 January 2011, pages 21-22.

²⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, page 147.

²⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, pages 147-148.

²⁸ Public hearing, 20 January 2010, pages 52-53.

the Secretariat, then over a period of time it is likely that there will be an implicit assumption that the Cabinet Secretary's interests are being represented... so you don't really need to invite the Cabinet Secretary to the meeting."

49. Asked whether that had affected decision-making on Iraq, Sir David Omand responded that:

"I think the Cabinet Secretary was not as present as previous Cabinet Secretaries ... would have been. Of course one of the reasons for that is that the Prime Minister had given the Cabinet Secretary a very different agenda ... the new Cabinet Secretary was chosen explicitly on that basis."

50. Sir David agreed that the Cabinet Secretary could have "made a fuss" about that:

"But it would have been at the direct expense of not being able to devote the time to sorting out reform and delivery across the government's agenda."²⁹

51. Describing the resource constraints in the Cabinet Office, Sir David Omand told the Inquiry that he had "inherited an overspend where there wasn't enough money to pay for all" the units in Downing Street and the Cabinet Office, which were "funded from the same vote".³⁰ The Treasury had kept them, he expected "deliberately", on a "very tight leash in order to restrain the growth of Downing Street". Sir David had found it "quite hard" to staff the Cabinet Office at the level he would have wanted and it had been necessary to prioritise.

52. In relation to Iraq, Sir David said:

"We did find money for OD Secretariat to expand... at the time of Iraq. We did find money to enable the Joint Intelligence Committee's assessment staff to work at full tilt as the crisis – the run up to the campaign – developed.

"But it was a bit of a struggle and not necessarily ideal. It was also the case that the Overseas and Defence Secretariat, who were hard pressed on Iraq, were also valiantly providing me the sole support I had to work on a counter-terrorism strategy. I have nothing but praise for them. They did a fantastic job, but it was a stretch."

53. Sir David added:

"In a sense, one of the lessons ... is that you can't enter into a run-up to a major conflict and continue with business as usual. There was a certain sense that the government was trying to do everything as well as manage this very major military operation – I don't think that's possible.

²⁹ Public hearing, 20 January 2010, pages 53-54.

³⁰ Public hearing, 20 January 2010, pages 6-7.

“... during the Falklands [Conflict in 1982] ... although it was a much shorter affair ... for that period that dominated the work of that group of Ministers. They delegated everything else. That didn’t happen... on Iraq.”

54. Sir David Manning recognised that the teams working on Iraq were small and heavily loaded, and that fatigue was a factor, but told the Inquiry:

“I did not feel that, at official level, we were unable to manage the decision making processes or to relay the wishes of Ministers to the system or to reflect [the] system’s concerns to Ministers themselves.”³¹

The Foreign and Commonwealth Office

55. In December 2003, the Foreign and Commonwealth Office (FCO) presented a “Strategy for the FCO” to Parliament, in which it listed the department’s “key contributions” to government.³² They included:

- “co-ordination and leadership of the UK’s international policies”;
- “expert foreign policy advice for Ministers and the Prime Minister, feeding into the wider policy process”; and
- “rapid gathering, analysis and targeting of information for the Government and others”.

56. In the period from 2001 to 2003, prime responsibility within the FCO for information on other countries fell to the relevant regional department. For Iraq, that was the Middle East Department (MED), under the supervision of the Director, Middle East and North Africa.

57. The FCO Political Director, later known as the Director General (Political), is the senior FCO official responsible for developing and implementing FCO policy on the most significant bilateral and multilateral foreign policy issues facing the UK, and for directing policy advice to Ministers on those issues.

58. The Political Director is a member of the FCO Board and reports to the PUS.

59. The FCO Directorate of Strategy and Innovation (DSI) reports to the PUS and the FCO Board. Its role is to review policy in areas of high priority and supplement or challenge advice from the relevant department within the FCO. DSI was a significant contributor of strategy papers on Iraq in the second half of 2002.

60. The FCO Research Analysts provided expert support and background for the policy recommendations made by MED and the Iraq Policy Unit, drawing on information gained from contacts with Iraqi politicians and exiles, academics and journalists, those

³¹ Public hearing, 30 November 2009, pages 48-49.

³² Foreign and Commonwealth Office, *UK International Priorities: A Strategy for the FCO*, December 2003, Cm 6052.

who had visited Iraq and from intelligence.³³ The Research Analysts also acted as the contact point within government for the US State Department's Future of Iraq project (see Section 6.4).

61. The FCO told the Inquiry that one analyst worked full-time on Iraq during 2001, increasing to two from mid-2002.³⁴

62. On 29 November 2002, the FCO Board discussed priorities for the coming months, including reviewing Iraq policy and planning:

“The Board agreed that the possibility of war in Iraq would remain the prime focus of attention over the next months. It discussed contingency plans being put in place. Work was in hand on staffing and establishing emergency units [see Section 6.5]. Procedures were due to be tested in January ... Board members stressed the need to keep the level of threat under review; and to keep examining and testing out the contingency plans.”³⁵

63. On 2 December, Mr Ricketts (FCO Political Director) sent Sir Michael Jay (FCO PUS) advice on “preparations for handling an all-out Iraq crisis”.³⁶ Mr Ricketts explained that he held daily meetings at 0900 to co-ordinate FCO activity, chaired in his absence by another FCO Board member or Mr Edward Chaplin (FCO Director, Middle East and North Africa). He also described the Iraq-related responsibilities of FCO senior officials:

“William Ehrman [Director General Defence and Intelligence] deals with JIC and MOD, Graham Fry [Director General Wider World] supervises work on consular planning ...; Edward Chaplin and Charles Gray take the lead on policy advice, working with DSI for longer range thinking, with the UN and CFSP [Common Foreign and Security Policy] teams, with the Legal Advisers and others. I have deliberately involved a wide spread of senior managers, because we may well have to sustain an intense crisis for a significant period ...

“You will of course want to be closely involved in all the policy-making. One of the key tasks of the Emergency Unit is to prepare the Foreign Secretary and you for the [anticipated] No.10 meetings, to ensure the FCO is pro-active and thinking ahead. I propose to take responsibility under you as overall co-ordinator ...

“MED and Personnel Command discussed again this week the staff numbers required to produce this structure, and other essential augmentation (for example, for the Press Office and Consular Division) ... But it will be vital that the Board meets early and decides which tasks can fall away ...

³³ Statement FCO Research Analysts, November 2009, pages 1-2.

³⁴ Email FCO to Iraq Inquiry, 3 June 2013, ‘FCO Research Analysts’.

³⁵ Minutes, 29 November 2002, FCO Board meeting.

³⁶ Minute Ricketts to PUS [FCO], 2 December 2002, ‘Iraq: Handling the Crisis’.

“This all looks unwieldy, but I am confident that it will work ... In managing this, the trick will be to have a clear co-ordinating and tasking arrangement, without vast meetings ... We will need to keep [overseas] posts well briefed and targeted, while encouraging them to exercise maximum restraint in reporting ...”

64. The FCO Emergency Unit, responsible for co-ordination of all aspects of FCO Iraq policy during the military campaign, opened on 14 March 2003.³⁷ The FCO Consular Crisis Centre opened on 17 March. Both operated 24 hours a day throughout the military campaign.

65. After the closure of the Emergency Unit on 2 May, Mr Ricketts resumed daily Iraq policy meetings in his office from 6 May.³⁸

The Secret Intelligence Service and C

66. The 1994 Intelligence Services Act placed the Secret Intelligence Service (SIS) on a statutory basis, giving the Foreign Secretary responsibility for the work of SIS, defining the functions of the Service and the responsibilities of its Chief, who is known as C.³⁹

67. The principal role of SIS is the production of secret intelligence on issues concerning Britain’s vital interests in the fields of security, defence, foreign and economic policies in accordance with requirements established by the Joint Intelligence Committee (JIC) and approved by Ministers. SIS uses human and technical sources to meet those requirements, as well as liaison with a wide range of foreign intelligence and security services.⁴⁰

68. Sir Richard Dearlove told the Inquiry:

“... the Service is not the Foreign Office. It’s not a policy department. It’s a department which is essentially an operational department, which contains a lot of people with some really remarkable knowledge and expertise.”⁴¹

69. Under Section 2 of the Intelligence Services Act 1994, the Chief is responsible for the efficiency of the Service and it is:

“... his duty to ensure –

- a. that there are arrangements for securing that no information is obtained by the Intelligence Service except so far as is necessary for the proper discharge of its functions and that no information is disclosed except so far as necessary –
 - (i) for that purpose;

³⁷ [Telegram 130 FCO London to Abidjan, 13 March 2003, ‘Opening of FCO Emergency Unit’](#).

³⁸ Minutes, 1 May 2003, FCO Emergency Unit Iraq meeting.

³⁹ Intelligence Services Act 1994.

⁴⁰ Cabinet Office, *National Intelligence Machinery*, 9 October 2001, page 6.

⁴¹ Private hearing, 16 June 2010, page 12.

- (ii) in the interests of national security;
- (iii) for the purposes of the prevention or detection of a serious crime; or
- (iv) for the purpose of any criminal proceedings ...”

70. The Chief is required to make an annual report on the work of the Service to the Prime Minister and the Foreign Secretary and “may at any time report to either of them on any matter relating to its work”.⁴²

71. As a later version of the Cabinet Office document *National Intelligence Machinery* states, the Agencies are responsible for evaluating and circulating their “mainly single-source reports”.⁴³

PROVISION OF INTELLIGENCE REPORTS TO KEY CUSTOMERS

72. Intelligence collected by the three Intelligence Agencies – SIS, the Security Service and the Government Communications Headquarters (GCHQ) – is passed directly in the form of reports to customer departments in government. Those reports assist decision-making. They also contribute, with other sources of information, to longer-term analysis, including Assessments issued by the JIC.

73. Lord Wilson told the Inquiry that Mr Blair’s travels overseas to secure support for action against Usama Bin Laden had had an impact on the relationship between No.10 and the Intelligence Agencies.⁴⁴ Sir Richard Dearlove, Chief of SIS, travelled with Mr Blair and had, in Lord Wilson’s words: “seized his chance, quite understandably, and got to know the Prime Minister and the Prime Minister got to know him”.

74. Asked about the pressures on SIS as a result of their success in producing material for the dossier, and when Mr Blair was relying on them and had put them on a pedestal, Sir Richard Dearlove told the Inquiry that was:

“... a fragile and dangerous position, as one was well aware at the time. I don’t deny that. But such are the events of government sometimes.”⁴⁵

75. Asked about his joint visits to Washington with Sir Richard Dearlove, Sir David Manning told the Inquiry that they “probably reflected the new weight that the intelligence Agencies had in the system” after 9/11:

“It’s in a sense inevitable because the Americans chose to play it this way. [George] Tenet [Director of the CIA] is an absolutely key figure ... and we have to find our counterparts.”⁴⁶

⁴² Intelligence Services Act 1994.

⁴³ Cabinet Office, *National Intelligence Machinery*, 19 November 2010, page 36.

⁴⁴ Public hearing, 25 January 2011, page 28.

⁴⁵ Private hearing, 16 June 2010, page 64.

⁴⁶ Private hearing, 24 June 2010, pages 9-10.

76. Sir David also commented that:

“... after 9/11 you see a completely new emphasis in Whitehall from Ministers, and indeed in terms of budgetary provision, for the Agencies. The fact that they had become the natural interlocutors of key players in the Bush Administration, and ... given ... much higher priority for resourcing ... reflect[ed] a sort of shift in weight in the system.”⁴⁷

77. Asked whether Sir Richard Dearlove spent more time with Mr Blair than his predecessors, Sir David commented that he did not know; but:

“Richard was certainly part of the group the Prime Minister consulted regularly, and ... had access to the Prime Minister ... pretty much when he wanted it.”

78. Asked for his observations on how the relationships between the intelligence services, in particular Sir Richard Dearlove, and Mr Blair, Mr Straw and himself had changed, Sir David told the Inquiry:

“... because the whole terrorism issue moved so rapidly up the agenda, and because there is a sense that we are vulnerable to asymmetric threats in a way that we haven't been in the past, there is a new recognition of the importance of the Agencies, a new willingness among Ministers to fund and resource the Agencies, and a much greater dependence on advice from the Agencies on threats that are not the conventional threats that we have been used to.

“... in addition ... you have two rather remarkable personalities as the Heads of [their respective] Agencies, Richard [Dearlove] and Eliza [Manningham-Buller] ... and if you find that the American system is using the Agencies really rather extensively, then it does change the pattern and the way we work, partly because the Government puts much more emphasis on the Agencies and much less, in my view – and I think it's a mistake – on the traditional departments, but partly because we don't have a lot of choice because this is the sort of network that's developing.

“... in a way I think you have to accept that the Heads of the Agencies are much more like the traditional Permanent Under Secretaries, that their departments are frequently better funded to deal with these issues than the traditional departments are, have more resource, can act more quickly ...

“So I think there has been a shift in the way that Whitehall operates, and I think it is inevitable that, as a result of that shift, the Heads of the Agencies have greater weight in the system ...”⁴⁸

⁴⁷ Private hearing, 24 June 2010, page 10.

⁴⁸ Private hearing, 24 June 2010, pages 43-45.

79. Sir David added that when, in crises, time was very short, there was a “tendency”, if a message was being passed through an Agency, for that Agency to deliver it.⁴⁹

80. Asked if the Agencies were being drawn into giving policy advice without necessarily having the experience fully to occupy that role, Sir David responded that they did “give more policy advice than in the past”.⁵⁰ Because of the way the process had changed they had “found themselves almost being sucked into giving that advice from time to time”. They had found themselves more in a “policy influencing role, than was traditional”.

81. Asked for the perspective from No.10 on whether SIS had oversold what it could deliver, Sir David Manning told the Inquiry: “I can only say, looking back ... that the fact was the intelligence does feel as though it delivered more than it actually did. I think quite quickly after the invasion it became clear that some of them felt that too.”⁵¹

82. In relation to Sir Richard Dearlove’s role, Sir David Omand said that:

“SIS were very much in the inner council. They had proved their worth to the Prime Minister in a number of really very, very valuable pieces of work, not just delivering intelligence, but ... conducting back channel diplomacy, and that, I’m sure weighed heavily on the Prime Minister’s calculation that, ‘These are people I should be listening to.’

...

“... it is quite tempting to comment if you are the confidant of the Prime Minister – and you can go back to Churchill and his intelligence advisers ... to find this in the role of the then Chief of the SIS in Churchill’s inner council. It is quite tempting to go over that line and start expressing an opinion on the policy itself. I wasn’t there to know if that happened ... I’m making a more general point.”⁵²

83. Sir David added:

“I think there were certainly people in the intelligence community, and there are still some, who believe that something will turn up in Syria, and I am certainly not going to break my own rules and say categorically that won’t happen. We could all still be surprised. But there was a sense in which, because of past successes – very, very considerable successes supporting this government, that SIS overpromised and underdelivered, and when that became clear that the intelligence was very hard to find ... they really were having to bust a gut to generate the intelligence.

“I think the Butler Committee really uncovered that the tradecraft at that point wasn’t as good as it should have been for validation... that’s one of the background

⁴⁹ Private hearing, 24 June 2010, page 46.

⁵⁰ Private hearing, 24 June 2010, pages 46-47.

⁵¹ Private hearing, 24 June 2010, pages 120-121.

⁵² Public hearing, 20 January 2010, pages 61-62.

reasons why people were very unwilling to actually conclude: no ... we may have miscalculated, or misassessed this.”⁵³

84. Asked about his views on Sir David Omand’s comment from the standpoint of the JIC, Sir John Scarlett (Chairman of the JIC from 2001 to 2004) replied:

“I think what David was referring to there was the situation in January and February 2003, when UNMOVIC [the United Nations Monitoring, Verification and Inspection Commission] were not finding things, and so the reaction might have been: well, why is that? But the reaction was: well it’s there. This just goes to show that UNMOVIC aren’t much use and we will find it.”⁵⁴

85. In a letter to Mr Hoon on 17 September 2002, Sir Kevin Tebbit wrote:

“I also counselled against excessive briefings of the Prime Minister by the intelligence agencies, when it was evident that their input could be transmitted in written form and his time could be better spent with those Ministers (ie you and the Foreign Secretary) in the small groups needed to decide executive action or give policy direction.”⁵⁵

The Ministry of Defence

86. The Ministry of Defence (MOD) is both a Department of State and a Military Strategic Headquarters.

87. The Defence Secretary is responsible for the formulation and conduct of defence policy and chairs the Defence Council, which provides the formal legal basis for the conduct of Defence in the UK.

88. The Defence Council has a range of powers vested in it by Parliament (through statute) and, under Letters Patent issued by Her Majesty The Queen, exercises on Her behalf the function of the Royal Prerogative, including committing the Armed Forces to military operations.⁵⁶

89. The Defence Secretary has two principal advisers: the PUS and the Chief of the Defence Staff (CDS).⁵⁷ They are separately responsible for ensuring that sound and timely advice reaches Ministers.⁵⁸

90. The PUS is the Secretary of the Defence Council.

⁵³ Public hearing, 20 January 2010, pages 63-64.

⁵⁴ Private hearing, 5 May 2010, page 36.

⁵⁵ [Minute Tebbit to Secretary of State \[MOD\], 17 September 2002, ‘Iraq: Machinery of Government’](#).

⁵⁶ Ministry of Defence, *The New Defence Operating Model*, Version 3.0: December 2012, page 18.

⁵⁷ Ministry of Defence, *Annual Report and Accounts 2002-03*, page 145.

⁵⁸ Ministry of Defence, *Defence Framework – How Defence Works*, September 2008, pages 11-12.

91. The Defence Secretary is responsible for the direction and conduct of all operations by UK Armed Forces.⁵⁹ He provides strategic direction, endorses the allocation of resources and sets the constraints on the use of force and is accountable to Parliament for all the decisions and actions of Defence.⁶⁰

92. Force levels and Rules of Engagement are subject to policy decisions made by Ministers, taking into account legal advice. Those decisions are recorded in a CDS Directive.

93. As a Department of State, MOD Head Office ensures the conduct of operations reflects the Defence Secretary's direction and is consistent with wider government policy.⁶¹ Its focus is at the strategic level: to define the ways in which military force will contribute to the achievement of the Government's current and future security objectives and to determine the military means required to deliver them.

94. As the most senior civil servant in the Department of State, the PUS has primary responsibility for policy, finance and administration in the MOD.⁶²

95. The PUS provides policy advice to Ministers on current and potential operations.⁶³

96. The PUS's core responsibilities and accountabilities comprise:

- Leading [the Ministry of] Defence, with CDS (to Defence Secretary).
- Defence and nuclear policy advice ...
- Accounting Officer duties ...
- Developing an affordable programme (to Defence Secretary).
- Formulating Defence strategy (with CDS) (to Defence Secretary).
- Acting as head of profession for MOD civil servants (to Defence Secretary).
- Co-ordinating delivery of top level decision making ...”

97. The PUS is also responsible for: “Leading the [MOD's] relationship with other Government Departments.”⁶⁴

98. The PUS is the MOD's Principal Accounting Office and is personally accountable to Parliament for the expenditure of all public money voted for Defence purposes.⁶⁵

99. As professional head of the Armed Forces, the CDS is responsible for the delivery of military capability, including the direction of military operations.⁶⁶

⁵⁹ Ministry of Defence, *The New Operating Model: How Defence Works*, April 2013.

⁶⁰ Ministry of Defence, *Defence Framework – How Defence Works*, September 2008, page 5.

⁶¹ Ministry of Defence, *Transforming Defence*, Version 3.0: December 2012, page 24.

⁶² Ministry of Defence, *Annual Report and Accounts 2002-03*.

⁶³ Ministry of Defence, *The New Operating Model: How Defence Works*, April 2013.

⁶⁴ Ministry of Defence intranet, 'Responsibilities of PUS'.

⁶⁵ Ministry of Defence, *Annual Report and Accounts 2002-03*.

⁶⁶ Ministry of Defence, *How Defence Works – Defence Framework*, September 2008, page 3.

100. Lord Boyce, CDS from February 2001 to May 2003, told the Inquiry that his responsibility was to advise on military capability and capacity.⁶⁷

101. As the principal military adviser to the Defence Secretary and the Government/ Prime Minister, the CDS will attend Cabinet or its sub-committees as required and will draw on the operationally focused advice provided by the Service Chiefs of Staff and senior civil servants through the Chiefs of Staff Committee.⁶⁸

102. The CDS, advised by the Vice Chief of the Defence Staff (VCDS) and the Service Chiefs, is responsible for the formulation of the military strategy and its coherence with government policy. Following the Defence Secretary's direction, the CDS is responsible for the planning, direction and conduct of all military operations.

103. Through a CDS Directive, he:

- Appoints the operational commander.
- Provides strategic direction.
- Identifies the military conditions for success.
- Designates the theatre and joint operations area.
- Specifies force levels and resources.
- Promulgates the constraints on the use of force.
- Sets the strategic intelligence requirements.⁶⁹

104. The Chiefs of Staff Committee (COS) is the main forum through which the CDS seeks and obtains the collective military advice of the single Service Chiefs of Staff, and through which he discharges his responsibility for the preparation and conduct of military operations.⁷⁰

105. The Committee is chaired by the CDS. The three Service Chiefs of Staff and the VCDS are the only other full members. Responsibility for the decisions and advice that emerge rests solely with the CDS. More information on COS is set out below.

106. Mr Hoon told the Inquiry that it was important that he, the CDS and the PUS “worked together, otherwise we had problems”:

“... it was important for me to enjoy the confidence of the military, but at the same time ensure that those responsible for developing policy on the Civil Service side were comfortable with where we were going.”⁷¹

107. Mr Hoon added that “one of the great successes” of the MOD was the extent to which it was “genuinely joined up” and the “real integration between the civil servants

⁶⁷ Public hearing, 3 December 2009, page 76.

⁶⁸ Ministry of Defence, *How Defence Works – Defence Framework*, December 2010, page 14.

⁶⁹ Ministry of Defence, *The New Operating Model: How Defence Works*, April 2013, page 24.

⁷⁰ Ministry of Defence, *How Defence Works – Defence Framework*, December 2010, page 29.

⁷¹ Public hearing, 19 January 2010, page 2.

and the military”. He had “excellent relationship[s]” with each of the Chiefs of Defence Staff with whom he worked, and “very regular ... informal and formal meetings”. In the course of “campaigns like Iraq”, such meetings were “on a daily or more than daily basis”.⁷²

ROLES WITHIN THE MOD

108. The principal task of the Defence Intelligence Staff (DIS)⁷³ was the provision of intelligence to inform MOD policy formulation and procurement decisions, and to support military operations.⁷⁴

109. DIS worked closely with other UK intelligence organisations and with overseas allies.⁷⁵ Its sources included human, signals and imagery intelligence, as well as open sources. The DIS produced a number of reports on the state of Iraq.

110. The Defence Crisis Management Organisation (DCMO) is tasked to provide “politically aware military advice to inform the strategic commitment of UK forces to overseas joint and combined operations”.⁷⁶

111. The DCMO comprises the Permanent Joint Headquarters (PJHQ) and elements of the MOD Central Staff, single service frontline commands and other relevant departments.⁷⁷

112. As head of PJHQ, the Chief of Joint Operations (CJO) is responsible for the planning and execution of joint (tri-Service) operations.⁷⁸

113. CJO reports directly to the CDS for contingency planning and advice on the conduct and resourcing of current operations.⁷⁹ At the operational level, CJO is responsible for the deployment, direction, sustainment and recovery of deployed forces in order to deliver the military strategy set out in the CDS’s Directive.

114. The CJO is the Commander Joint Operations for current operations for which he is responsible.

115. The MOD Central Staff advises both the PUS and CDS. Between 2001 and 2009 it was led jointly by the VCDS and the Second Permanent Secretary (2nd PUS), supported by a joint staff.

⁷² Public hearing, 19 January 2010, page 3.

⁷³ Now known as Defence Intelligence (DI).

⁷⁴ Letter MOD to Iraq Inquiry, 29 April 2010, ‘MOD Evidence – Submission on Defence Intelligence Staff (DIS)’.

⁷⁵ www.gov.uk, ‘Defence Intelligence’.

⁷⁶ Ministry of Defence, *How Defence Works – Defence Framework*, December 2010, page 14.

⁷⁷ House of Commons, *Official Report*, 16 November 2004, column 1290W.

⁷⁸ Ministry of Defence, *Annual Report and Accounts 2002-03*.

⁷⁹ Ministry of Defence, *The New Operating Model: How Defence Works*, April 2013.

116. The two most senior members of the Central Staff with responsibilities for decisions on military operations were the Deputy Chief of the Defence Staff (Commitments) (DCDS(C)) and the Policy Director. They were supported by the Assistant Chief of Defence Staff Operations (ACDS(Ops)) and the Director General Operational Policy (DG Op Pol).⁸⁰

117. In the period from 2002 to 2003, DCDS(C) was supported by the Strategic Planning Group (SPG).

118. Lieutenant General Sir Robert Fry, DCDS(C) from July 2003 to January 2006, stated that he was “responsible for the military strategic advice to the Chiefs of Staff”.⁸¹

119. Sir Kevin Tebbit told the Inquiry that the Policy Director was responsible for leading the effort to balance political and military considerations in producing advice.⁸²

THE CHIEFS OF STAFF COMMITTEE

120. The Chiefs of Staff Committee is supported by the Chiefs of Staff Secretariat (COSSEC), which ensures that minutes and decisions are promulgated swiftly, a record of outstanding actions is prepared and maintained, and papers are prepared and circulated to support discussions.

121. The papers prepared for COS meetings and the minutes of its discussions (although they are not a verbatim record) provide a major source of information for the Inquiry.

122. From time to time, the Chiefs of Staff also hold discussions which are unminuted. Those include early discussions on Iraq in the first half of 2002 and Chiefs of Staff (Informal) (COS(I)) meetings.

123. By early 2002, the COS Committee was already meeting at least once a week, often designated as COS (Operations), to discuss operational issues in addition to the regular cycle of meetings on non-operational issues.

124. In 2002, there were 71 meetings of the COS Committee. Issues related to Afghanistan constituted the main business until 19 September, when COS discussed a paper addressing potential UK support to US operations against Iraq.⁸³

125. From 19 September, the COS Committee met weekly, usually on a Wednesday morning, to discuss Iraq, and other operational issues.

⁸⁰ The MOD confers the title Director General on personnel at two-star, or civilian Director level; usage elsewhere in Whitehall differs.

⁸¹ Public hearing, 16 December 2009, page 72.

⁸² Public hearing, 3 December 2009, page 10.

⁸³ Minutes, 19 September 2002, Chiefs of Staff meeting.

126. The agenda for the weekly COS (Operations) meetings usually comprised a briefing from the Chief of Defence Intelligence, followed by:

- “political/military overview”;
- operational planning;
- media; and
- next steps.

127. By the autumn of 2002, COS (Operations) meetings were attended by a range of military and civilian officials or their representatives.

128. In late 2002/early 2003, that included the MOD PUS, the Chief of Defence Logistics, the DCDS(C), the Chief of Defence Intelligence, the Deputy Chief of Defence Staff (Equipment Capability), the Deputy Chief of Defence Staff (Personnel), the Policy Director, the Director General of Corporate Communications and, frequently, senior officials from some or all of the Cabinet Office, the FCO, SIS and GCHQ.

129. The first recorded attendance by a DFID representative was on 19 February 2003.

130. Meetings with Defence Ministers often followed COS (Operations) meetings. The papers examined by the Inquiry for the period between 2001 and 2009 suggest that they were essentially briefing meetings and no records of the discussions were produced.

131. The MOD has conducted an extensive search of its archives and no records of minutes for these meetings have been located.

132. Lord Boyce told the Inquiry that attendance at COS meetings provided “transparency of what the military were doing” for other departments, and that they would provide inputs setting out their thinking.⁸⁴

133. Sir Kevin Tebbit added that it was “a very important way of making sure people understood the tempo of planning”.

134. General Sir John Reith, Chief of Joint Operations from August 2001 to July 2004, told the Inquiry that PJHQ had a “very, very close relationship” with the MOD and in particular with the Commitments Staff:

“... every single paper that we produced at PJHQ was staffed through the ... MOD before it went under my signature into the Chiefs of Staff Committee, and we had a VTC [video conference] every morning ... I was on regular VTCs for the op[erations] Chiefs of Staff meetings and for the Ministerials.”⁸⁵

⁸⁴ Public hearing, 3 December 2009, page 80.

⁸⁵ Private hearing, 15 January 2010, pages 3-4.

The Department for International Development

135. In 2003, the Department for International Development (DFID) was responsible for leading the Government's contribution to eliminating poverty. The International Development Act, which came into effect in June 2002, had established poverty reduction as the overarching purpose of British development assistance.

136. Within DFID, the Iraq Team in the Middle East and North Africa Department included advisers with expertise on conflict, humanitarian assistance, governance, infrastructure, economics and social development who provided analysis to inform decisions.⁸⁶ The DFID Iraq Team worked closely with the FCO and drew on the FCO's Iraq-related research and analysis.

137. Advisers were drawn from the relevant DFID professional cadres with consultants brought in to provide advice on specific issues and projects where required.

138. In addition, DFID's Conflict and Humanitarian Affairs Department (CHAD) provided specific policy and operational advice on Iraq.

Decision-making machinery pre-conflict

139. Lord Wilson told the Inquiry that between January 1998 and January 1999 he had attended and noted 21 Ministerial discussions on Iraq; 10 in Cabinet, of which seven had "some substance"; five in the Defence and Overseas Policy Committee (DOP); and six ad hoc meetings, including one JIC briefing.⁸⁷

140. The Cabinet Office informed the Inquiry that there was no discussion of Iraq in DOP in 1999 or 2000, and that the four discussions in Cabinet in early 1999 (the last on 7 March) were confined to brief updates on the No-Fly Zones.⁸⁸ There is no record of any Cabinet discussion of Iraq in 2000.

141. In contrast, Lord Wilson told the Inquiry that between 9/11 and January 2002 he attended 46 Ministerial meetings on international terrorism and/or Afghanistan.⁸⁹ Those were: 13 Cabinet meetings (four of which were very short); 12 meetings of a new Cabinet Committee, DOP(IT) (Defence and Overseas Policy (International Terrorism)), which was set up as a sort of "War Cabinet"; and 21 ad hoc meetings, although many of those had taken place "round the Cabinet table".

The Defence and Overseas Policy Committee

142. DOP, formally a Sub Committee of the Cabinet, was created in 1963, with Terms of Reference: "To keep under review the Government's defence and overseas policy."

⁸⁶ Email DFID to Iraq Inquiry [junior official], 19 June 2013, 'Iraq Inquiry new queries'.

⁸⁷ Public hearing, 25 January 2011, page 11.

⁸⁸ Email Cabinet Office to Aldred, 5 July 2011, 'FOI request for joint MOD/FCO memo on Iraq Policy 1999'.

⁸⁹ Public hearing, 25 January 2011, page 11.

143. DOP was chaired by the Prime Minister, and its membership included the Chancellor of the Exchequer, the Foreign Secretary, the Defence Secretary and the International Development Secretary. The CDS attended as required.

The conventions used in Cabinet minutes

The *Guide to Minute Taking* produced by the Cabinet Office in June 2001 said that the first purpose of a minute was to set out the conclusions reached so that those who have to take action know precisely what to do; the second purpose was to “give the reasons why the conclusions were reached”.

The *Guide* said:

“A good minute of a meeting will be:

- i. brief but intelligible;
- ii. self-contained;
- iii. in the main, impersonal; and
- iv. to the full extent that the discussion allows, decisive.”⁹⁰

The *Guide* made clear that a minute was “not a substitute for a verbatim record” and should not reproduce points made by every speaker. Instead they should be grouped into paragraphs which develop the argument.

Points should be attributed to an individual when “a specifically departmental view has been put forward, or a suggestion has been made to safeguard a departmental interest”, or when a speaker reserves their position or registers dissent. Dissent to the conclusions of a Cabinet meeting should only be recorded if the dissenting Minister indicates an intention to resign.

The *Guide* advised that when the Chair had summed up a discussion “it is usually convenient to record this as a formal summing up” to record “the sense of the meeting” and avoid lengthy conclusions. A minute should end with conclusions which are “clear and precise”.

The *Guide* explained that conventions govern the formulae used to indicate different kinds of action, which reflected “the constitutional position of Ministers as individually responsible for matters covered by their department while sharing in the collective responsibility of members of the Government”. The formulae also distinguished the positions of the Chair of a Committee and its Secretariat. They were:

“The Committee—

1. Approved [a memorandum].
2. Agreed [on a course of action].
3. Agreed to resume their discussion ...
4. Instructed the Secretaries ...
5. Invited the Chancellor of the Exchequer [or the Treasury in the case of an Official Committee] to ... (do not say ‘authorised’).

⁹⁰ Cabinet Office, *Guide to Minute Taking*, June 2001.

6. Took note that the Chancellor of the Exchequer [or Treasury] would...
7. Took note.
8. Took note, with approval, of the Prime Minister's [Chair's] summing up of their discussions [and invited the Ministers concerned to proceed accordingly]."

The Ad Hoc Meeting (the War Cabinet)

144. In June 2002, officials began to discuss changes to the Government's machinery for Iraq policy and planning.

145. Recommendations to improve Whitehall co-ordination at official and Ministerial level were put to Mr Blair in mid-September.

146. Mr Tom McKane, Deputy Head of OD Sec, sent Sir David Manning a note on possible machinery "for managing Iraq" on 2 September.⁹¹ He recalled that he and Sir David had already agreed that, "following the pattern of Afghanistan", there should be two groups of officials: an "inner group" chaired by Sir David (or Mr Desmond Bowen who would shortly be taking over from Mr McKane) and a more junior "wider group", chaired by Mr Bowen or Mr Drummond.

147. Mr McKane proposed that the inner group "should begin work once you [Sir David Manning] decide that the time is right". It would comprise the Chair of the JIC or Chief of the Assessments Staff, the FCO Middle East Director, the DCDS(C) and/or Mr Ian Lee (MOD Director General Operational Policy), and representatives of all three Intelligence Agencies and the Home Office. Mr McKane asked whether it should also include the Defence Intelligence Staff (DIS) and a No.10 information specialist. He proposed that the wider group "should meet periodically from now on and, inter alia, address the issues set out in Jim Drummond's minute of 30 August".

148. Mr McKane wrote that "we also need to consider the composition of a Ministerial Group". He recommended the creation of a separate Ad Hoc Sub-Committee of DOP, chaired by the Prime Minister, with the participation of the Foreign and Defence Secretaries and the Intelligence Chiefs. DOP "could meet less frequently and be the means of formalising decisions". Mr McKane also suggested that Lord Goldsmith, the Attorney General, be invited "to be in attendance at both these groups, as required" and Mr Robin Cook, the Leader of the House, "be invited to attend DOP".

149. Sir David Manning put the proposals to Mr Blair on 12 September.⁹² At official level, Sir David recommended that he or Mr Bowen should chair an inner group, to include the JIC, the FCO, the MOD, SIS, the Security Service, GCHQ, the Home Office and Sir David Omand, the Cabinet Office Permanent Secretary.

⁹¹ [Minute McKane to Manning, 2 September 2002, 'Iraq'](#).

⁹² [Minute Manning to Prime Minister, 12 September 2002, 'Iraq'](#).

150. A wider group, chaired by OD Sec, would be “tasked as necessary by the inner group”. The additional members would include DFID, the Metropolitan Police Service, the Treasury, the Department of Trade and Industry (DTI) and media specialists from No.10 and the FCO.

151. In his advice to Mr Blair, Sir David Manning adjusted slightly Mr McKane’s proposal for a Ministerial Group. He suggested:

“If we follow the Afghan precedent, we would set up an Ad Hoc Group (perhaps technically a Sub-Committee of DOP under your chairmanship) to include Jack [Straw], Geoff [Hoon], CDS [Admiral Sir Michael Boyce], C [Sir Richard Dearlove] and No.10. The idea would be to keep it tight with meetings in the Den. If we move to military action, we would, of course, need to widen this to include John Prescott [the Deputy Prime Minister], David Blunkett [the Home Secretary] and perhaps others.

“This leaves the question of what to do about the Attorney. I assume that you would not want him to attend your Ad Hoc Group except by invitation on specific occasions.”

152. Ms Clare Short, the International Development Secretary, was not on Sir David’s list of recommended participants.

153. Mr Blair wrote on Sir David Manning’s advice: “Yes but we can wait before setting up a key Cabinet Group.”⁹³

154. Mr Jonathan Powell, Mr Blair’s Chief of Staff, instructed Sir David Manning: “to progress official groups and leave Minist[eria]l groups for now”.⁹⁴

155. Asked by the Inquiry whether having more stress testing by very senior ministers not directly involved with Iraq issues might have helped to highlight some of the weaknesses in areas such as post-conflict planning, Mr Blair replied:

“... in one sense I would like to say ‘yes’, because it would be in a way an easy enough concession to make. My frank belief is it would not have made a great deal of difference, no. The committee meetings that we had, small ‘a’, small ‘h’, ad hoc meetings, I think there were 28 of them, 14 of which were minuted. I had the right people there ... no-one was saying to me ‘Do it a different way’. I mean, if someone had I would have listened to it, but I have to say to you in addition when I looked, for example, at Mrs Thatcher’s War Cabinet, it didn’t have the Chancellor of the Exchequer on it... you have there the people that you need there.”⁹⁵

⁹³ [Manuscript note Blair on Minute Manning to Prime Minister, 12 September 2002, ‘Iraq’.](#)

⁹⁴ [Manuscript note Powell on Minute Manning to Prime Minister, 12 September 2002, ‘Iraq’.](#)

⁹⁵ Public hearing, 21 January 2011, pages 26-27.

156. A member of OD Sec wrote to Sir David Manning on 30 January with a draft minute from Sir Andrew Turnbull to Mr Blair setting out “on a contingency basis” a proposal for “meeting and briefing arrangements for handling any conflict with Iraq”.⁹⁶ The official suggested that Sir David might like to discuss the issue with Mr Blair before the draft was submitted to Sir Andrew.

157. The draft minute proposed that, “given the sensitivity of the issues to be discussed”, the “War Cabinet” should be a “very small, informal group” “limited to the Foreign Secretary, the Defence Secretary, CDS, C, John Scarlett plus a small Secretariat”. There was also “a case for including a non-departmental Cabinet Minister who is not quite so close to the action”. The membership could also be “extended **as necessary on a case by case basis**, if there was a need to involve any other Minister (such as the Attorney General or Development Secretary) in the discussions”.

158. The draft stated:

“The core group could be formally constituted as a Cabinet Committee. But I recommend that it be established as an Ad Hoc Ministerial Committee. This would help foster an air of informality and obviate the need to publish any composition and terms of reference.”

159. The covering minute to Sir David stated that:

“In terms of managing the business this is fine. But in the absence of a formally constituted ‘War Cabinet’ as we had with Afghanistan, which was the public face of decision taking, could lead to unhelpful speculation about how the conflict was being managed. Other Ministers might also feel excluded. One way round the problem would be for DOP to be convened occasionally (thereby bringing in Clare Short and Gordon Brown) when there is a need for a wider discussion – perhaps before Cabinet each week. This would be in addition to more regular meetings of the inner group.”

160. The draft minute stated that COBR should be “activated in the immediate run up to any military action, and manned on a 24 hour basis”; and that: “As during the Afghanistan conflict, David Manning would chair official-level meetings (both in restricted and wider formats) to co-ordinate and galvanise Departmental activity and to ensure that you are properly briefed on developments.” A daily intelligence update, an ‘Overnight Sitrep’ prepared early each morning “covering the main international and military developments”, and “a more detailed thematic ‘Evening Round-Up’ following the Afghanistan model” were also proposed.

⁹⁶ [Minute Gibbons to Manning, 30 January 2003, ‘Iraq: Crisis Management’.](#)

161. The official also informed Sir David that the MOD was planning on the basis of a daily press briefing at 1000, and the importance of striking a balance between the various briefings in theatre, London and Iraq.⁹⁷

162. Sir David Manning sent the minute to Mr Jonathan Powell, writing: “Grateful if we could discuss.”⁹⁸

163. An ‘Ad Hoc Meeting’ of Ministers took place daily from 19 March to 12 April, with the exception of Sundays 30 March and 6 April. The Committee then met five times before the end of April.

164. Sir Kevin Tebbit wrote to Sir Andrew Turnbull on 5 March stating:

“I am sure you have this in hand already, but in case it might help, I should like to offer you my thoughts on the procedure for handling the legal basis for any offensive operations ... in Iraq – a subject touching on my responsibilities since it is the CDS who will need to be assured that he will be acting on the basis of a lawful instruction from the Prime Minister and the Defence Secretary.

“It is not possible to be certain about the precise circumstances in which this would arise because we cannot be sure about the UN scenario involved ... Clearly full UN cover is devoutly to be desired – and not just for the military operation itself ...

“My purpose in writing, however, is not to argue the legal merits of the case ... but to flag up ... that the call to action from President Bush could come at quite short notice and that we need to be prepared to handle the legalities so we can deliver ...

“In these circumstances, I suggest that the Prime Minister should be prepared to convene a special meeting of the inner ‘war’ Cabinet (Defence and Foreign Secretaries certainly, Chancellor, DPM [Deputy Prime Minister], Home Secretary possibly, Attorney General, crucially) at which CDS effectively receives his legal and constitutional authorisation. We have already given the Attorney General information and MOD briefings on objectives and rationale, and I understand that John Scarlett is conducting further briefing on the basis of the intelligence material.

“While it is not possible to predict the timing of the event precisely ... could conceivably be as early as 10 March ... in the event, albeit unlikely, that the Americans lost hope in the UN and move fast. Michael Jay may have a better fix on this, but I guess the more likely timing would be for Security Council action around the weekend of 15/16 March, and therefore for a meeting after that.”⁹⁹

165. In a minute of 14 March, Mr Powell recorded that “we have agreed” that Mr Blair would start to hold daily meetings of a ‘War Cabinet’ from 0830 on 19 March. Mr Powell

⁹⁷ [Minute Gibbons to Manning, 30 January 2003, ‘Iraq: Crisis Management’.](#)

⁹⁸ [Manuscript note Manning to Powell, 2 February 2003, on Minute Gibbons to Manning, 30 January 2003, ‘Iraq: Crisis Management’.](#)

⁹⁹ [Letter Tebbit to Turnbull, 5 March 2003, \[untitled\].](#)

advised Mr Blair that he would need Mr Hoon, Mr Straw and Adm Boyce and asked which Ministers and officials Mr Blair wanted to attend, including whether Mr Blair wanted Ms Short, Sir Andrew Turnbull or Sir David Omand, and the Heads of the Intelligence Agencies.¹⁰⁰

166. The minute was copied to Baroness Sally Morgan (Director of Political and Government Relations), Mr Alastair Campbell (Mr Blair's Director of Communications and Strategy), Mr Jeremy Heywood (Mr Blair's Principal Private Secretary), Sir David Manning and Mr Rycroft. It was not copied to Sir Andrew Turnbull.

167. Sir Andrew Turnbull set out the arrangements for a small 'War Cabinet', chaired by Mr Blair "to oversee the UK's involvement in military action in Iraq", in a minute to Mr Heywood on 18 March 2003.¹⁰¹ The minute said:

- OD Sec would produce a short note recording the main decisions after each meeting, which would be "sent only to those who attend".
- "There might also be a case for having weekly meetings of DOP (including the Chancellor and Home Secretary in addition), perhaps convening just before Cabinet. This would provide an opportunity for wider Ministerial involvement, including on day after issues. I suggest this is something that David Manning keeps under review."
- COBR was being activated on a 24 hour basis on 18 March: "As during the Afghanistan conflict" Sir David Manning would "chair official level meetings (both in restricted and wider formats) to co-ordinate and galvanise Departmental activity and to ensure that the Prime Minister is properly briefed on developments".
- COBR would produce "early-morning sitreps and a more detailed thematic Evening Round-Up, following the Afghanistan model".
- Mr Scarlett would "brief the Group on the intelligence picture".
- The Assessments Staff were producing daily written intelligence updates, which would "normally issue at 08:00".

168. The Committee's remit was to "cover ... military and other updates and the day's events"; and "to focus on longer term policy decisions", although the time for that would be limited and would need to be "rationed carefully".¹⁰²

169. The members of the Committee were: Mr John Prescott (the Deputy Prime Minister), Mr Gordon Brown (the Chancellor of the Exchequer), Mr Jack Straw (the Foreign Secretary), Mr David Blunkett (the Home Secretary), Ms Clare Short (the

¹⁰⁰ [Minute Powell to Prime Minister, 14 March 2003, 'War Cabinet'](#).

¹⁰¹ [Minute Turnbull to Heywood, 18 March 2003, 'Iraq'](#).

¹⁰² [Minute Drummond to Rycroft, 19 March 2003, 'Iraq Ministerial Meeting'](#).

International Development Secretary), Dr John Reid (Minister without Portfolio),¹⁰³ and Mr Geoff Hoon (the Defence Secretary).

170. From 20 March, Lord Goldsmith, the Attorney General, attended almost every meeting and Mrs Margaret Beckett, the Secretary of State for Environment, Food and Rural Affairs, was a regular attendee from 25 March.

171. Adm Boyce, C and Mr Scarlett attended the meeting to advise on the progress of the military campaign and the intelligence picture.

172. The Cabinet Office circulated a record of the discussion.

173. Mr Rycroft advised Mr Blair on 19 March that there would be a standard agenda each day for the meeting, issued by the Cabinet Office, along with an update of key events which they would prepare each evening.¹⁰⁴ No.10 would provide Mr Blair with “a short note of specific points to cover each day”. Mr Rycroft also advised that: “As this is a large group, we shall have to see in a couple of days whether it is practicable or whether we shall need a small group as well.”

174. In a minute to Mr Powell dated 30 March, Mr Blair requested a change to his daily rhythm, stating:

“I need a longer private meeting with CDS, Geoff Hoon etc.

“So I suggest we make that: 8.30am. The War Cabinet at 9.00am. The political meeting at 9.30am. This should ... include media handling.”¹⁰⁵

175. Mr Blair also set out his ideas for a communications strategy and asked for “more overt work on the guarantees to the Iraqi people”.

Official-level inter-departmental machinery

THE JOINT INTELLIGENCE COMMITTEE

176. The Joint Intelligence Committee (JIC) is a cross-Government Committee created in 1936, which has been part of the Cabinet Office since 1957.

177. The JIC was (and remains) responsible for:

“... providing Ministers and senior officials with co-ordinated intelligence assessments on a range of issues of immediate and long-range importance to national interests, primarily in the fields of security, defence and foreign affairs.”¹⁰⁶

¹⁰³ From 5 April 2003, Dr Reid’s role changed to President of the Council and Leader of the House of Commons.

¹⁰⁴ [Minute Rycroft to Prime Minister, 19 March 2003, ‘Iraq: 0830 Ministerial Meeting’](#).

¹⁰⁵ Minute Blair to Powell, 30 March 2003, ‘Note’.

¹⁰⁶ Cabinet Office, *National Intelligence Machinery*, November 2010, pages 23-24.

178. The Chairman of the JIC is “responsible for the broad supervision of the work of the JIC” and “specifically charged with ensuring that the Committee’s warning and monitoring role” was “discharged effectively”. He also has direct access to the Prime Minister.

179. Sir John Scarlett told the Inquiry that the JIC was designed to be at the interface between intelligence and policy.¹⁰⁷ The Chairman of the JIC played a key role:

“... to represent the views, which are very thoroughly considered, of the JIC itself. He doesn’t have a separate status, separate from the Committee itself. He carries his authority, because he is carrying the authority of the Committee and he is representing those views.”

180. Sir John Scarlett told the Inquiry that he was “answerable” to Sir David Omand “for the efficient functioning of the Committee and the Secretariat”, but he was “responsible for the presentation of intelligence assessment to Government”.¹⁰⁸

181. The JIC is supported by the Joint Intelligence Organisation (JIO), including the Assessments Staff, comprising analysts seconded to the Cabinet Office from other departments. The JIO is “responsible for drafting assessments of situations and issues of current concern”, taking “into account all sources of information, including intelligence reports produced by the Agencies, diplomatic reporting and media reports”.

182. The Assessments Staff’s draft Assessments are subject to formal inter-departmental scrutiny and challenge in Current Intelligence Groups (CIGs), which bring together working-level experts from a range of government departments and the intelligence agencies. In the case of Iraq between 2001 and 2003, the CIG brought together the desk-level experts from the FCO (including MED and RA), MOD (including DIS), the Cabinet Office and the intelligence agencies, and any other department with an interest in the issue being considered.

183. The JIC’s terms of reference from 2001 to 2005 included responsibilities to:

- “monitor and give early warning of the development of direct or indirect foreign threats to British interest, whether political, military or economic”;
- “on the basis of available information, to assess events and situations relating to external affairs, defence, terrorism, major international criminal activity, scientific, technical and international economic matters”;
- “keep under review threats to security at home and overseas and to deal with such security problems as may be referred to it”;
- “bring to the attention of Ministers and departments, as appropriate, assessments that appear to require operational, planning or policy action”:

¹⁰⁷ Public hearing, 8 December 2009, page 12.

¹⁰⁸ Public hearing, 8 December 2009, page 4.

the Chairman was “specifically charged with ensuring that the Committee’s monitoring and warning role is discharged effectively”; and

- “report to the Secretary of the Cabinet”, except where “special assessments” were required by the Chiefs of Staff, which would be “submitted to them directly in the first instance”.

184. The JIC agrees most Assessments before they are sent to Ministers and senior officials, although some papers, including urgent updates on developing issues, are issued under the authority of the Chief of the Assessments Staff.

185. The current JIC terms of reference make clear that it is expected to draw on “secret intelligence, diplomatic reporting and open source material.”¹⁰⁹

186. JIC Assessments are most frequently produced in response to a request from a policy department which determines the precise issues to be addressed. The JIC also commissions Assessments and can direct that the ground covered in any Assessment should be amended if it considers that is required.

187. Some CIG Assessments are issued under the authority of the Chief of the Assessments Staff and are noted but not discussed by the JIC, including where the content is regarded as routine or as an update of previous Assessments.

188. Iraq was regularly considered by the JIC in 2000 and 2001, with the focus on weapons of mass destruction (WMD), sanctions and the implications of the No-Fly Zones.¹¹⁰

189. Sir John Scarlett considered that Iraq had been one of the top priorities for the JIC for most of his time as Chairman.¹¹¹

190. As Chairman of the JIC, Mr Scarlett attended many of the meetings on Iraq held by Mr Blair and provided advice and briefing, including in response to requests from No.10.

191. In late July 2002, Mr Scarlett was asked to provide updated intelligence on Iraq on a weekly basis for Mr Blair’s weekend box.¹¹²

192. Mr Scarlett provided the first ‘Weekly Intelligence Summary’ on Iraq on 26 July.¹¹³

193. From 15 November, the Summary was replaced by an ‘Intelligence Update’ produced by the Assessments Staff. Until the end of January 2003, the Updates were produced weekly. In February the frequency increased, rising to three a week by the end of the month.

¹⁰⁹ Cabinet Office, *National Intelligence Machinery*, November 2010, page 26.

¹¹⁰ Public hearing Webb, Ricketts and Patey, 24 November 2009, pages 51-54.

¹¹¹ Public hearing, 8 December 2009, page 10.

¹¹² [Letter Rycroft to McDonald, 23 July 2002, ‘Iraq Prime Minister’s Meeting, 23 July: Follow Up’.](#)

¹¹³ Minute Scarlett to Manning, 26 July 2002, ‘Iraq: Weekly Intelligence Summary’

194. From March until mid-May 2003, Intelligence Updates on Iraq were produced on a daily basis.¹¹⁴

195. The Updates were used “to sweep up and summarise recent intelligence” and included “explanatory comments”; but they were “not a vehicle for assessment”.¹¹⁵

THE AD HOC GROUP ON IRAQ

196. On 26 June 2002, Mr Webb informed Mr Hoon’s Private Office that MOD officials were encouraging the Cabinet Office to supplement the Pigott Group (an MOD-led, inter-departmental group of senior officials – see Section 6.4) with a broader body involving a wider range of departments with a policy interest in Iraq and the region.¹¹⁶

197. Those ideas began to take shape on 8 August, when Mr Jim Drummond, Assistant Head of OD Sec, informed Mr McKane that he had spoken to Sir David Manning about possible changes to Whitehall structures.¹¹⁷ Mr Drummond explained that one consequence of existing Whitehall mechanisms for discussing Iraq, including in particular the Pigott Group’s focus on military matters, was that “we are focusing a lot on military aspects and less on the alliance building, morning after, unintended consequences etc. Come September there may be a case for a tighter grip from the Centre.”

198. Mr Drummond raised the issue with Sir David Manning again on 30 August. He recalled that Sir David had commented earlier in the summer that it was too soon to think about management of the unintended consequences of conflict, but that the issue would probably need to be discussed in the autumn.¹¹⁸

199. Mr Drummond enclosed a “skeleton” paper on the subject prepared by a Cabinet Office junior official and suggested meeting to discuss the paper and Whitehall machinery for Iraq at the same time.

200. The Cabinet Office paper on unintended consequences focused on the possible impact of war on UK interests and on countries in the region, rather than on post-conflict Iraq.

201. The FCO produced a more substantial paper on the unintended consequences of conflict for the region and beyond on 20 September (see Section 6.4).

¹¹⁴ Public hearing, 8 December 2009, page 7.

¹¹⁵ Minute Miller to Manning, 21 February 2003, ‘Iraq: Intelligence Updates’.

¹¹⁶ Minute Webb to PS/Secretary of State [MOD], 26 June 2002, ‘Iraq’.

¹¹⁷ Minute Drummond to McKane, 8 August 2002, ‘Iraq’.

¹¹⁸ [Minute Drummond to Manning, 30 August 2002, ‘Iraq: Unintended Consequences’ attaching Note Cabinet Office, 30 August 2002, ‘Outline of a Paper: Iraq: Managing the Unintended Consequences’ and Paper Cabinet Office, 28 August 2002, ‘Unintended Consequences of War on Iraq: Skeleton of Paper’.](#)

202. Also attached to Mr Drummond’s minute was a “list of headings for future work” on unintended consequences, which included: “avoiding fragmentation of a failed state in Iraq”.

203. Sir David Manning replied to Mr Drummond: “Let us discuss p[lea]se with Tom McKane before he goes. We need to do this work: there is a question about timing.”¹¹⁹

204. Mr McKane sent Sir David Manning a note on possible machinery “for managing Iraq” on 2 September, which is addressed earlier in this Section.¹²⁰

205. Mr Jonathan Powell, Mr Blair’s Chief of Staff, instructed Sir David Manning “to progress official groups and leave Minist[eria]l groups for now”.¹²¹

206. Sir Kevin Tebbit set out his views about the new Whitehall arrangements to Mr Hoon on 17 September:

“Mindful of the difficulties (and frustrations) we have experienced in the past in establishing the right machinery and processes to run crucial politico/military campaigns, I saw David Manning yesterday to discuss the arrangements which might be presented to the Prime Minister, designed to help successful delivery of an Iraq campaign.

“I reminded David of the importance of a small ‘core’ Ministerial team, meeting very regularly to execute daily business (as distinct from less frequent policy meetings and Cabinet itself). I outlined the linkage needed with the wider COBR and DOP machinery that would pull in government departments and agencies as a whole ...

“David said that he had little influence over such matters as distinct from Jonathan [Powell]. However, he took the point, especially about the importance of acting through key Ministers in small groups. The position at present was that the Prime Minister had decided over the weekend on the following:

- a. no Ministerial meetings at this stage;
- b. a preference, when they became necessary, for the ‘late Afghan’ model to apply – ie PM; Defence Secretary; Foreign Secretary; CDS; C; Scarlett; Attorney General and Alastair Campbell as appropriate;
- c. meanwhile for Restricted COBR meetings to begin on a twice weekly basis under Manning’s chairmanship;
- d. for a wider DOP Committee of officials to begin work, under Bowen’s chairmanship, which would be the vehicle for bringing in OGDs – DFID, Customs etc.”¹²²

¹¹⁹ [Manuscript comment Sir David Manning on Minute Drummond to Manning, 30 August 2002, ‘Iraq: Unintended Consequences’.](#)

¹²⁰ [Minute McKane to Manning, 2 September 2002, ‘Iraq’.](#)

¹²¹ [Manuscript note Powell on Minute Manning to Prime Minister, 12 September 2002, ‘Iraq’.](#)

¹²² [Minute Tebbit to Secretary of State \[MOD\], 17 September 2002, ‘Iraq: Machinery of Government’.](#)

207. Sir Kevin commented:

“This seems satisfactory for the time being, although we shall need to watch to ensure that (b) does not begin without you being present and that (c) provides the framework we need to link effectively with the contingency planning in the MOD (and perhaps to begin to consider tricky issues of wider relevance, eg the effect on energy prices and oil aftermath management). I should have preferred Bowen to run a restricted officials forum, given the other pressures on Manning’s time, the need to begin setting a regular rhythm, and some of the wider issues to be confronted. But I do not think we can do better for the present.”

208. At official level, the cross-Whitehall Ad Hoc Group on Iraq (AHGI) met for the first time on 20 September 2002. It became the principal forum for co-ordination of planning and preparation for a post-Saddam Hussein or post-conflict Iraq (see Section 6.5).

209. Mr Bowen told the Inquiry that when the AHGI started its work in September 2002, the context was “a serious policy commitment to deal with weapons of mass destruction in Iraq”.¹²³ Conflict was just one of “any number of outcomes”.

COBR(R)

210. In his 12 September minute to Mr Blair, Sir David Manning recommended that he should chair an “Inner Group”, to include the JIC, the FCO, the MOD, SIS, the Security Service, GCHQ, the Home Office and Sir David Omand.¹²⁴

211. A “Wider Group”, tasked by the Inner Group and chaired by OD Sec, would include, additionally, DFID, the Metropolitan Police, the Treasury, the Department of Trade and Industry and media specialists from No.10 and the FCO.

212. The Inner Group, which discussed a range of issues including counter-terrorism and Afghanistan and was not minuted (although actions were recorded in some instances), was known as the Restricted COBR or COBR(R); the wider group was the AHGI.

213. Sir David Manning told Mr Blair that:

“This Wider Group would be tasked as necessary by the Inner Group.”

214. When he reported the new arrangements to Mr Hoon on 17 September, Sir Kevin Tebbit explained that the Prime Minister had decided there should be no Ministerial meetings at this stage, but that twice weekly Restricted COBR meetings chaired by Sir David Manning and a wider officials’ group under Mr Desmond Bowen (Mr McKane’s successor), should begin their work.¹²⁵ Sir Kevin commented:

¹²³ Public hearing, 7 December 2009, page 10.

¹²⁴ [Minute Manning to Prime Minister, 12 September 2002, ‘Iraq’.](#)

¹²⁵ [Minute Tebbit to Secretary of State, 17 September 2002, ‘Iraq: Machinery of Government’.](#)

“... we shall need to watch to ensure ... that (c) [Restricted COBR] provides the framework we need to link effectively with the contingency planning in the MOD ... Ideally, I should have preferred Bowen to run a Restricted officials forum, given the other pressures on Manning’s time, the need to begin setting a regular rhythm, and some of the wider issues to be confronted.”

215. Asked to explain the Whitehall arrangements, Sir David Manning told the Inquiry that the Restricted group chaired by himself or his deputy included “all those who had access to the most sensitive intelligence”.¹²⁶ It was not focused solely on Iraq, and often had other pressing issues to deal with but:

“... it was an opportunity to bring – to report on the progress that different departments had made, on the latest assessment that may have come out of the agencies, the political issues that were being confronted by the Foreign Office, the difficulties that the Ministry of Defence might be encountering and so on and so forth.”

216. The wider group drew in those with less or very little access to sensitive intelligence.

217. Between 20 September 2002 and 27 August 2003 there were 67 meetings of COBR(R).¹²⁷

218. Agendas for the discussions usually recorded Iraq as item one, under which a bullet point list of topics followed. The first of those was usually an intelligence update.

219. None of the meetings were fully minuted. After 22 meetings out of 67 a list of actions was recorded.¹²⁸ For the others, no official record of the discussion was made.

220. Actions were allocated to specific departments or agencies. The only reference to the AHGI is found in the list of actions arising from a meeting of COBR(R) on 5 February 2003, which said:

“The FCO to ensure that key elements of the ongoing work on ‘aftermath’ planning are fed to COBR(R) via the Ad Hoc Group (Action: FCO/OD Sec).”¹²⁹

221. There is no evidence of issues being formally escalated by the AHGI to COBR(R).

¹²⁶ Public hearing, 30 November 2009, pages 44-45.

¹²⁷ Agenda or Notes of Actions Cabinet Office, for COBR(R) meetings dated 20, 25, 27 September 2002; 2, 7, 9, 14, 16, 21, 25, 28 October; 1, 4, 6, 8, 13, 18, 27, 29 November 2002; 4, 6, 9, 11, 13, 16, 18, 20 December 2002; 3, 6, 8, 10, 13, 15, 17, 20, 22, 24, 29, 31 January 2003; 3, 5, 7, 10, 11, 12, 13, 14, 17, 19, 21, 24, 26, 28 February 2003; 3, 5, 7, 10, 13, 17, 29 March 2003; 7 April 2003; 4, 25 June 2003; 30 July 2003; 6, 13, 27 August 2003.

¹²⁸ Notes of Actions Cabinet Office, for COBR(R) meetings dated 20, 27 September 2002; 2, 9, 14, 16 October 2002; 9, 11, 13, 20 December 2002; 3, 10 January 2003; 5, 7, 24, 26 February 2003; 29 March 2003; 4, 25 June 2003; 30 July 2003; 6, 27 August 2003.

¹²⁹ Note of Actions Cabinet Office, 5 February 2003, ‘COBR(R)’.

222. Lord Turnbull told the Inquiry that the role of COBR(R) was “to take the fallout from that War Cabinet meeting and try and take things forward”.¹³⁰

Creation of the Iraq Planning Unit

223. The inter-departmental (FCO/MOD/DFID) Iraq Planning Unit (IPU), based in the FCO, was established on 10 February to improve Whitehall co-ordination on post-conflict issues.

224. Although the IPU was an inter-departmental unit, its head was a senior member of the Diplomatic Service and it was integrated into the FCO management structure.

225. The draft terms of reference stated that:

- The IPU would report to Mr Chaplin in the FCO, but without defining the relationship between the Unit and senior officials in DFID and the MOD.
- The IPU would work “within broad policy guidelines set by the Cabinet Office”.
- Its main purpose would be to provide “policy guidance on practical questions” that UK civilian officials and military commanders would face in Iraq.
- The IPU was intended “to bring influence to bear on US plans”.

226. Tasks assigned to the IPU by the AHGI included consideration of:

- the shape of the Iraqi political process needed to underpin the transition to Iraqi rule;
- management of Iraq’s oil; and
- whether and where the UK should run its own sector before the restoration of Iraqi sovereignty.

227. After the creation of the IPU, the AHGI remained responsible for co-ordination of all post-conflict planning and preparation across government, including consular planning and civil contingencies.

228. On 3 February, Mr Ehrman reported to Mr Ricketts that the Pigott Group had decided that there was a need for a senior FCO official to co-ordinate full-time with MOD, DFID and others the rapidly increasing volume of work on aftermath planning.¹³¹

229. Mr Ehrman suggested that “in addition to work on overall legality ... we will need sub-groups on WMD, OFF [the Oil-for-Food programme], SSR [Security Sector Reform], humanitarian, reconstruction, judicial, possibly terrorism. All this to feed into and influence the various aftermath groups in Washington.”

¹³⁰ Public hearing, 13 January 2010, pages 43-44.

¹³¹ Minute Ehrman to Ricketts, 3 February 2003, ‘Pigott Group, 3 February’.

230. Mr Ricketts informed Mr Chaplin on 4 February that he had agreed with Sir Michael Jay and Mr Ehrman that:

“... the FCO should consolidate the lead we have already taken in this area [post-conflict issues] with the work that Dominick Chilcott has been doing under your supervision.

“I am sure that this work will now grow fast, particularly with the prospect of the UK inheriting responsibility for a good slice of southern Iraq following a military conflict.”¹³²

231. Mr Bowen chaired a meeting in the Cabinet Office on 4 February, attended by the FCO, MOD and DFID, at which it was decided to set up an inter-departmental (FCO, MOD and DFID) unit, headed by an FCO official, Mr Chilcott, to “prepare for the aftermath in practical operational terms”.¹³³ Wider strategy would continue to be co-ordinated through the AHGI.

232. In a letter to Mr Ehrman recording the outcome of the meeting, Mr Bowen explained that there was “a good deal of uncertainty about American intentions in administering Iraq in the event of (and after) hostilities to remove Saddam Hussein’s regime”. Meetings in Washington that week were likely to bring greater clarity but were unlikely to produce decisions.

233. Mr Bowen reported that the meeting had recognised that:

“... even if some of the big strategic issues remained unresolved, a lot of detailed management issues were likely to arise. Much was likely to emanate from CENTCOM, which had the prospectively imminent task of administering a country whose leadership had been removed. With this in mind we agreed that we should set up an Iraq Operational Policy Unit with contributions from the FCO, DFID and MOD ... My view was that we needed an integrated unit with high calibre representation to work through the sort of issues that would confront the Coalition on the ‘day after’. **Their initial remit would be to develop policy guidance to enable the administration of Iraq pending the appointment of a transitional civil administration, consistent as far as possible with the longer term vision for the future of Iraq.** They would need to work their way, with the US, through issues as diverse as humanitarian relief, policing, administration of justice, local government and provision of utilities, environmental recovery and priorities for the return to normality. The view we all reached was that this unit ought to be up and running from Monday 10 February ... It will need staff who think strategically and operationally and have some background in state reconstruction from other cases (in order to feed in the lessons of eg Kosovo and Afghanistan).”

¹³² [Minute Ricketts to Chaplin, 4 February 2003, ‘Iraq: Day After Planning’.](#)

¹³³ [Letter Bowen to Ehrman, 5 February 2003, ‘Iraq: Operational Policy Unit’.](#)

234. Mr Bowen explained that the unit would work alongside the FCO consular and emergency units, and with the Defence Crisis Management Centre (DCMC) in the MOD and the Conflict and Humanitarian Affairs Department (CHAD) in DFID.

235. The Iraq Planning Unit (IPU), headed by Mr Dominick Chilcott, was established on 10 February.¹³⁴

236. On 17 February, Sir Michael Jay sent draft terms of reference for the IPU to Sir Andrew Turnbull, the Cabinet Secretary, copied to Permanent Secretaries. The draft, which had already been discussed with DFID, the MOD and the Cabinet Office, stated:

“The unit will operate within broad policy guidelines set by the Cabinet Office. In the FCO, it will report to the Director Middle East and North Africa Command [Mr Chaplin]. Its main customers will be British military planners in PJHQ, MOD and, mainly through them, British officers and officials seconded to the Pentagon and CENTCOM.

“The main purpose of the unit will be to provide policy guidance on the practical questions that British civilian officials and military commanders will face, in the event of a conflict in Iraq. The advice will be designed to help them to minimise the suffering of the Iraqi people and to deal with the civil administration of any sector of Iraq under the control of British forces, particularly during the period before a transitional civilian administration is established. It will aim to ensure that British operational military planning for the post-conflict phase in Iraq is consistent with and promotes the UK’s policy objectives on the future of Iraq. In doing so it will take particular account of the key role of the UN.

“The unit will aim to bring influence to bear on US plans by providing similar guidance, through PJHQ and MOD, to seconded British personnel working within the US military planning machinery and through the Embassy to the NSC and other parts of the US Administration.

“The unit will also provide a focus in Whitehall for developing policy advice and recommendations, as required, on strategic questions concerning a post Saddam Iraq.

“The role of the unit will be reviewed in three months.”¹³⁵

237. The record of the 17 February meeting of the AHGI stated that the IPU had been formed initially “to meet a UK military planning need for detailed policy guidance on occupation issues”.¹³⁶ In the event of UK participation in the occupation of Iraq it was likely to expand considerably.

¹³⁴ [Minute Chilcott to Private Secretary \[FCO\], 20 February 2003, ‘Iraq: Day-After \(Phase IV\)’.](#)

¹³⁵ Letter Jay to Turnbull, 17 February 2003, ‘Iraq Planning’ attaching ‘Proposed Terms of reference for the tract [sic] Planning Unit’.

¹³⁶ Minute Dodd to Manning, 17 February 2003, ‘Ad Hoc Group on Iraq’.

238. The record of the next meeting, on 21 February, described the co-ordinating role of the AHGI:

“... the Ad Hoc Group draws together work related to Iraq as follows:

- Work on post-Saddam issues led by the Iraq Planning Unit. This includes the HMT [HM Treasury]-led sub-group on economic and financial issues;
- Consular planning; and
- HMT/CCS [Civil Contingencies Secretariat]-led domestic contingency planning (the Stephens Group).

“AHGI receives updates on military and intelligence issues, but these issues are handled elsewhere. AHGI provides a forum for deciding how to cover any new Iraq-related issues. There is some read across from pre-existing DTI and HMT Whitehall groups looking at oil.”¹³⁷

239. After expressions of concern by Permanent Secretaries about the possible impact on the UK of war in Iraq, Sir Andrew Turnbull had agreed in January 2003 that the AHGI should conduct further work on domestic contingencies.¹³⁸

240. Mr Chilcott told the Inquiry that, although numbers were small (“maybe only six, eight, ten, for the first couple of weeks”), the IPU drew on expertise elsewhere in Whitehall that allowed it to pull together a strategic view.¹³⁹ While military planners and PJHQ were planning what was needed as troops occupied territory and became “responsible ... for the administration of where they were”, the IPU was “thinking about the political process and the big issues about the development fund for Iraq or oil policy or what to do about war criminals or the importance of legitimacy and legal questions”.

241. Asked how influential the IPU had been, Mr Chilcott stated:

“... I don’t think our main issue was having to convince other parts of the government machinery that they should be doing things that they didn’t want to do.

“I think we were really synthesising the views and expertise across government.

“Where we needed to have clout ... was in influencing the United States, and I think, there, we ... had no more clout than a sort of body of middle to senior ranking British officials would have had with their American counterparts.”¹⁴⁰

242. Mr Chilcott warned against being “dazzled” by the IPU’s late creation: “a lot of the work that the IPU was able to bring together in a more intense atmosphere had

¹³⁷ Minute Dodd to Manning, 25 February 2003, ‘Ad Hoc Group on Iraq’.

¹³⁸ Minute Dodd to Manning, 13 January 2003, ‘Ad Hoc Group on Iraq’.

¹³⁹ Public hearing, 8 December 2009, pages 7-8.

¹⁴⁰ Public hearing, 8 December 2009, pages 8-9.

been going on for some time”.¹⁴¹ But he did accept that the IPU could have been set up sooner:

“... one of the lessons is obviously you can’t begin this sort of thinking too early, and although we did begin serious thinking about the day after in the preceding October ... we could have created the IPU earlier. We could have had a greater sense of the reality of what we were doing. I think also, because it was contingency planning, because right up until the last moment we didn’t know for sure that we were going to be involved in the military action, that maybe psychologically had an effect on us ...”¹⁴²

243. On the relationship with the Office of Reconstruction and Humanitarian Assistance (ORHA), Mr Chilcott said that: “ORHA in some ways weren’t really our counterparts because they were the sort of operational implementers ... as well as the drawers up of the plan, whereas we ... were writing policy papers and briefing and lines to take.”¹⁴³

244. Mr Bowen told the Inquiry one reason for establishing the IPU was to set up a counterpart to ORHA: “as soon as we ... understood where the centre of gravity was in America ... we set up ... a centre of gravity that could interact with it”. At this early stage in the relationship, before misgivings about ORHA had begun to emerge in Whitehall, that seemed still to be the intention.

Decision-making machinery post-invasion

The Ad Hoc Ministerial Group on Iraq Rehabilitation

245. On 27 March, Mr Bowen sent Sir Andrew Turnbull a draft minute addressed to Mr Blair, recommending the creation of an “Ad Hoc Ministerial Group on Iraq Reconstruction” chaired by Mr Straw.¹⁴⁴ Mr Bowen advised that he had opted for an ad hoc group because it was “inherently more flexible and less ponderous than a formal sub-group of DOP”.

246. Sir Andrew Turnbull wrote to Sir Kevin Tebbit on 31 March, seeking his and, among others, Sir David Manning’s agreement to a slightly revised version of the draft minute produced by Mr Bowen on 27 March.¹⁴⁵ Sir Andrew advised that the revised draft had already been agreed with Sir Michael Jay and Mr Chakrabarti.

¹⁴¹ Public hearing, 8 December 2009, pages 17-18.

¹⁴² Public hearing, 8 December 2009, pages 47-48.

¹⁴³ Public hearing, 8 December 2009, page 20.

¹⁴⁴ [Minute Bowen to Turnbull, 27 March 2003, ‘Iraq: Reconstruction’ attaching draft minute Turnbull to Prime Minister, \[undated\], ‘Iraq Reconstruction’.](#)

¹⁴⁵ [Letter Turnbull to Tebbit, 31 March 2003, ‘Iraq: Rehabilitation’ attaching draft minute Turnbull to Prime Minister, \[undated\], ‘Iraq: Rehabilitation’.](#)

247. The draft minute proposed:

“... a new Ad Hoc Ministerial Group on Iraq Rehabilitation reporting to you [Mr Blair]. The Foreign Secretary [Mr Straw] should chair ... Its terms of reference would be: ‘to formulate policy for the rehabilitation, reform and development of Iraq’.”

248. The new Ministerial Group would be supported by an officials group, led by the Cabinet Office and including the Head of the IPU.

249. The Inquiry has not seen a final version of Sir Andrew Turnbull’s minute.

250. Mr Chakrabarti wrote to Sir Andrew Turnbull on 1 April, confirming that the new groups proposed in Sir Andrew’s draft minute to Mr Blair:

“... seem the best way to take forward the detailed implications of any SCR’s content, and what can be done before its passing ... The key will be to agree very quickly on the work programme and to task those with the knowledge and experience in the subject areas to take the lead while consulting others with an interest in ensuring all the workstreams fit together into a coherent – and affordable – strategy. We must draw on the lessons learnt from other post-conflict situations such as Afghanistan, Kosovo, East Timor, Sierra Leone and Bosnia.”

251. Sir Andrew Turnbull informed Mr Straw on 7 April that Mr Blair had agreed a new committee should be established “to formulate policy for the rehabilitation, reform and development of Iraq”.¹⁴⁶ Mr Straw would chair; other members would be the Chancellor of the Exchequer, the Defence Secretary, the International Development Secretary and the Trade and Industry Secretary. The committee would be supported by a group of officials, chaired by Mr Bowen.

252. Mr Straw chaired the first meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) on 10 April.¹⁴⁷

The Ad Hoc Ministerial Group on Iraq

253. In July 2004, the Butler Committee found:

“... we are concerned that the informality and circumscribed character of the Government’s procedures which we saw in the context of policy-making towards Iraq risks reducing the scope for informed collective political judgement.”¹⁴⁸

254. The Government accepted the Committee’s conclusions, and said: “where a small group is brought together to work on operational military planning and developing the

¹⁴⁶ Letter Turnbull to Straw, 7 April 2003, ‘Iraq: Rehabilitation’.

¹⁴⁷ Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹⁴⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, page 160.

diplomatic strategy, in future such a group will operate formally as an ad hoc Cabinet Committee”.¹⁴⁹

255. The Ad Hoc Ministerial Group on Iraq (AHGI) met for the first time on 16 September 2004, chaired by Mr Blair.¹⁵⁰ It was established “to ensure the UK government approach to Iraq was fully co-ordinated in the period up to Iraqi elections in January 2005”. Mr Blair intended that the Group should meet regularly.

256. Mr Blair wrote a note to his Private Secretary on 25 February 2005 instructing that Mr Straw be “put in charge” of the AHGI and asked to minute him each week with actions on “eg reconstruction in the South; Sunni outreach; progress on security plan”.¹⁵¹

257. On 10 March, in his first meeting as Chair, Mr Straw explained that Mr Blair “had asked a core group of Ministers to meet on a weekly basis to focus more closely on the delivery of policy in Iraq”.¹⁵²

258. On 18 March, Mr Blair reminded Mr Quarrey: “I need J[ack] S[traw] to do me a note each week on progress (to keep him at it).”¹⁵³

259. Mr Straw’s first report to Mr Blair, dated 24 March, covered the first three meetings¹⁵⁴ of the AHGI.¹⁵⁵

The Defence and Overseas Policy Committee (Iraq)

260. Sir Nigel Sheinwald told the Inquiry that the AHGI was set up “briefly” in order to “give extra urgency to Whitehall work ahead of the Iraqi elections”.¹⁵⁶ That was “very complicated” and so, after the UK General Election in May 2005, arrangements were “simplified” and a new Committee was established.

261. The Iraq Sub-Committee of the Ministerial Committee on Defence and Overseas Policy (DOP(I)) met for the first time on 26 May 2005, chaired by Mr Blair.¹⁵⁷ It continued to meet until Mr Blair stood down as Prime Minister in June 2007.

262. DOP(I) replaced the AHGI, which ceased to meet.

¹⁴⁹ Cabinet Office, *Review on Intelligence on Weapons of Mass Destruction: Implementation of its Conclusions*, March 2005, Cm 6492, page 11.

¹⁵⁰ Minutes, 16 September 2004, Ad Hoc Ministerial Group on Iraq meeting.

¹⁵¹ Manuscript comment Blair on Minute Quarrey to Prime Minister, 25 February 2005, ‘Iraq Update’.

¹⁵² Minutes, 10 March 2005, Ad Hoc Ministerial Group on Iraq meeting.

¹⁵³ Manuscript comment Blair on minute Quarrey to Prime Minister, 18 March 2005, ‘Iraq Update’.

¹⁵⁴ Held on 10 March 2005; 17 March 2005; 24 March 2005.

¹⁵⁵ Minute Straw to Prime Minister, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meetings’.

¹⁵⁶ Public hearing, 16 December 2009, page 12.

¹⁵⁷ Minutes, 26 May 2005, DOP(I) meeting.

NSID(OD)

263. After taking office as Prime Minister in June 2007, Mr Gordon Brown reorganised the structure of Cabinet Committees. Iraq fell within the remit of the Committee on National Security, International Relations and Development (NSID), and specifically its Overseas and Defence Sub-Committee (NSID(OD)).

264. The first scheduled meeting, on 19 July, was cancelled and NSID(OD) therefore met for the first time on 8 October.¹⁵⁸

Official-level inter-departmental machinery

THE IRAQ STRATEGY GROUP

265. The Iraq Strategy Group (ISG) met from autumn 2003, chaired by Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser and Head of OD Sec.

266. Sir Nigel described its function as “a strategy group that was trying to look at the big political, security and economic issues”.¹⁵⁹

THE IRAQ SENIOR OFFICIALS GROUP

267. The Iraq Senior Officials Group (ISOG) met on a monthly basis from autumn 2003, usually chaired by the Deputy Head of OD Sec. A record of the meeting was reported to Sir Nigel Sheinwald, who described its purpose as “senior officials looking at the more operational issues”.¹⁶⁰

268. Sir Nigel described both the ISG and the ISOG as “trying to feed into the Ministerial discussions which were taking place”.

¹⁵⁸ Minute Cabinet Office [junior official] to Prime Minister, 5 October 2007, ‘NSID(OD) Iraq Meeting – Steering Brief: Monday 8 October 09:30’.

¹⁵⁹ Public hearing, 16 December 2009, page 56.

¹⁶⁰ Public hearing, 16 December 2009, page 56.