

Monday, 31st January 2011

(2.00 pm)

Evidence of STEPHEN PATTISON and JOHN BUCK

SIR JOHN CHILCOT: Good afternoon and welcome, everyone. In this session this afternoon we are hearing from Stephen Pattison, who was also our witness this morning, and John Buck to discuss the involvement of the Foreign & Commonwealth Office in policing and wider security sector reform in Iraq.

As we noted this morning, Stephen Pattison was head of the United Nations department of the FCO until June 2003, and later, from September 2004 to December 2007 Director of International Security.

John Buck served as Director of Iraq between September 2003 and July 2004.

Now, a statement from Mr Buck was published on our website last summer and a statement from Mr Pattison was published on 19th January. A number of declassified documents have also been placed on our website.

We also recognise that, Mr Buck, you have wider responsibilities beyond policing as Director of Iraq and we have left a little time at the end of today's session for any other reflections you wish to share with us on your role as Director of Iraq or your previous role as head of the communications and information centre for a brief

1 period in 2003.

2 As I say on each occasion, we recognise that
3 witnesses give evidence based on their recollection of
4 events and we check what we hear against the papers to
5 which we have access and which we are still receiving.

6 I remind each witness on every occasion, you will
7 later be asked to sign a transcript of the evidence
8 given to the effect that it is truthful, fair and
9 accurate.

10 I'd like to open the questioning myself, and looking
11 very much to Stephen Pattison, by focusing on the
12 pre-invasion planning for police reform in Iraq and the
13 Foreign Office's understanding of what the UK's
14 responsibilities would be.

15 We touched briefly this morning on the UK's
16 responsibilities as belligerent occupiers under the
17 Hague and Geneva conventions. That includes securing
18 law and order in the area of operations of the occupier.
19 How did you envisage that these obligations would be
20 fulfilled in Iraq in the period after the invasion?

21 MR STEPHEN PATTISON: Let me explain first, if I may, a bit
22 about what the Foreign Office was doing on policing
23 generally. Our main role was essentially an operational
24 one, to try to identify UK police volunteers to
25 participate in international policing missions.

1 When we were looking at what we might do in Iraq in
2 the months preceding the conflict, our main focus was on
3 in essence doing what we had done in other international
4 policing missions; that is, supplying a relatively small
5 number of British police, whose main role would be
6 training and advice on security sector reform.

7 I say that, because we looked a little bit at
8 whether we could contemplate providing what's known as
9 an executive police force for Iraq, ie a force to do the
10 actual policing, and we reached the conclusion pretty
11 quickly that this was a massive undertaking which the UK
12 could not do.

13 At one stage the Americans had approached us to
14 focus on policing. We went back to them and said, "This
15 is a massive undertaking. The UK cannot do it". The
16 Americans came back then, and this is, I think, February
17 2003, to say: yes, they understood; they, the Americans,
18 did not now think there would be a need for an executive
19 police force in Iraq made up of international
20 components.

21 So what we were looking at was something quite
22 different from providing executive policing. We were
23 looking at where we could make a difference in terms of
24 providing a small number of trainers to help with what
25 was broadly called security sector reform.

1 Security sector reform covers a range of things, but
2 in Iraq we understood that it would certainly cover the
3 need for the local police to be seen to be respecting
4 human rights, the need for them to be seen to be a more
5 objective police force than had probably been the case
6 under Saddam Hussein, the need for them to think a bit
7 about how they operated in terms of their relationships
8 with internal intelligence services in Iraq, in terms of
9 their relationship with border police and so on.

10 To that extent we had, if you like, a strategy and
11 we started very early, in January 2003, to put something
12 in place to identify volunteers whom we could ask to go
13 to Iraq on that basis, but they were always going to be
14 a very small number and they were always going to do
15 this, if you like, slightly niche role, security sector
16 advice and a bit of police training.

17 SIR JOHN CHILCOT: Could I interject at this point to ask
18 about the conceptual background? Under the Geneva and
19 Hague Conventions, the responsibility is one of securing
20 law and order. Was this seen as essentially securing
21 basic security in the streets, if you like, or was it
22 seen -- was security sector reform, as you put it, seen
23 as ensuring that there was an effective justice system
24 operating, which, of course, includes daily policing,
25 prosecutions, courts, judges, etc.

1 MR STEPHEN PATTISON: I was coming to that, Mr Chairman.
2 I was trying to explain the background to the work we
3 did. The point I was about to make was that the
4 background to the work we were doing was not a sense of
5 our responsibility under the Geneva Conventions. The
6 background was something different from that. In my
7 recollection, the awareness of our responsibilities
8 under the Geneva Convention and Hague regulations did
9 not inform our thinking about policing in the run-up to
10 the war.

11 SIR JOHN CHILCOT: And did not need to?

12 MR STEPHEN PATTISON: Well, hindsight is a wonderful thing.
13 I think subsequently it will be very difficult to say,
14 knowing what we now know, that it ought not to have
15 done. It ought to have done. I think you can say that
16 responsibility for securing Iraq is something which
17 perhaps the Ministry of Defence ought to have been
18 planning for. It was not in that sense a natural
19 Foreign Office area of activity, but it's certainly true
20 that we were not planning and no-one in Whitehall, so
21 far as I am aware, was planning for the kind of
22 breakdown in law and order which we encountered after
23 the fall of Saddam.

24 SIR JOHN CHILCOT: Were there discussions between the
25 Foreign Office and the Ministry of Defence? Clearly

1 there would be an overlap. Invading troops become
2 occupiers with conventional responsibility from that
3 moment.

4 MR STEPHEN PATTISON: There were certainly discussions
5 between United Nations Department and parts of the
6 Ministry of Defence. Those were focused primarily on
7 releasing Ministry of Defence police to participate in
8 post-conflict Iraq in the roles I have just described.
9 They were not focused on the strategy or the development
10 of a strategy for post-conflict police planning.

11 I come back to the point I made this morning, that
12 I think there was a bit of a vacuum here, which I would
13 have traditionally expected the Cabinet Office to fill.

14 SIR JOHN CHILCOT: Let's step back to that point. Are you
15 aware, by the way, of any discussions within Whitehall,
16 before the planning for the invasion even, about where
17 responsibility for policing, law and justice in Iraq
18 should sit within the Whitehall machinery, or was it
19 simply assumed to be, as it had been in other overseas
20 situations, a Foreign Office lead?

21 MR STEPHEN PATTISON: I think the short answer to that is
22 that most people were surprised to find that the Foreign
23 Office did anything at all on policing, actually.
24 I don't think anyone assumed that policing would be
25 a Foreign Office lead, because no-one assumed the

1 Foreign Office knew anything about police. It was only
2 that we had in the United Nations Department this unit,
3 which I had set up to ensure that arrangements for our
4 contribution to international policing went smoothly,
5 that we had any links with the police forces and any
6 knowledge of, if you like, policing strategies at all.

7 The department in Whitehall which had mostly
8 specialised in security sector reform, the whole gamut of
9 reforming prisons, police operations, courts and
10 everything, was DFID, that had indeed taken an interest,
11 quite naturally, in security sector reform in a number
12 of countries, including in post-conflict countries such
13 as -- particularly countries where you had a civil war.
14 So you had an army, at the end, of rebels who had signed
15 a truce and they needed to be disbanded and
16 reintegrated. Security sector reform went hand-in-hand
17 with what we call DDR, the disbandment and reintegration
18 of combatants. You wanted to be sure if they were going
19 to be re-integrated they were not subsequently picked on
20 by the law enforcement agencies.

21 So DFID had developed an area of expertise in this
22 area. We talked this morning about DFID's role in
23 post-war planning for Iraq. I was not aware of any
24 suggestion that DFID should specifically take up
25 post-war planning on security sector reform.

1 SIR JOHN CHILCOT: By recalling DFID's experience in this
2 sphere you bring out the fact that there are two
3 separate issues in terms of the Whitehall machinery.
4 One is where lead responsibility should lie, but the
5 other is where contributions, effective contributions
6 can be found from -- can I ask you from a number of
7 quarters, I should think. I wonder whether any
8 engagement with those was being undertaken.

9 MR STEPHEN PATTISON: I'm not sure I fully understood.
10 Sorry. Have another go.

11 SIR JOHN CHILCOT: In terms of the policing, we have the
12 England and Wales experience. We have the rather
13 different but cognate Scottish experience, but then
14 there is Northern Ireland with a long track history of
15 military and civil interaction. Those are just a few
16 examples.

17 MR STEPHEN PATTISON: I think there are two issues here.
18 Certainly we in the United Nations Department had
19 contacts with all those parts of the policing system in
20 the UK and we learnt very heavily on the police force of
21 Northern Ireland, because they were armed, and the
22 requirement mostly for British police in international
23 missions was for them to be armed.

24 SIR JOHN CHILCOT: Was that a government-to-government
25 interaction or was it FCO, United Nations Department to

1 PSNI.

2 MR STEPHEN PATTISON: The latter, UND to PSNI. It was
3 an operational thing really, but it gave us some
4 contacts.

5 I think the wider point you are making, if I may say
6 so, is was there anyone in Whitehall pulling together
7 knowledge of policing so that we could design the kind
8 of police operation we would need in Iraq? And the
9 answer to that is no, there was not.

10 SIR JOHN CHILCOT: Thank you. I will turn to
11 Baroness Prashar now to pursue this.

12 BARONESS USHA PRASHAR: That actually brings me to
13 a statement in your submission that you made to us where
14 in paragraph 61 you say that:
15 "Were the coalition to take on executive policing,
16 they would need around 50,000 international police
17 officers."
18 How was that need assessed? Am I right in
19 understanding the calculation as being simply a pro rata
20 comparison with Kosovo?

21 MR STEPHEN PATTISON: The short answer is yes. That was
22 exactly what we did.

23 BARONESS USHA PRASHAR: It wasn't based on specifics of
24 understanding of the --

25 MR STEPHEN PATTISON: No.

1 BARONESS USHA PRASHAR: -- Iraq situation at that time?

2 MR STEPHEN PATTISON: No. It was a very crude calculation,
3 based on our experience of providing executive policing
4 in other countries.

5 BARONESS USHA PRASHAR: This was clearly quite a huge task,
6 and what assumptions did you make about the UN's
7 involvement for the post-invasion law and order?

8 MR STEPHEN PATTISON: Well, as we discussed this morning,
9 our assumption and expectation was that there would be
10 some UN involvement in post-conflict Iraq. We talked
11 this morning about the precise nature of that
12 involvement, but it was always absolutely clear to us
13 that unless there was UN involvement of the right sort,
14 we could not hope to get an international police force
15 of that size, or indeed something much smaller than that
16 but of significant size, because we could not do it, the
17 UK could not do it, and you would not get countries who
18 usually contributed to policing, volunteering without
19 what we might call UN cover.

20 I touched on this slightly this morning. Even in
21 the summer of 2003, the Americans were coming to us when
22 I think it is fair to say that the Americans realised
23 the policing problem was much bigger and more difficult
24 than they had envisaged, they were coming to us and
25 saying, "Can't we get the European Union or this

1 organisation, the OSCE, to do policing?" The European
2 Union, in 2002, or the year prior to this anyway, had
3 established, if you like, a pool of police that member
4 states of the European Union had undertaken to make
5 available for EU policing missions and there were about
6 4,500 or 5,000 police nominally in this pool. And the
7 Americans came to us and said, "Can't we use this? This
8 is something the EU has set up. The EU is very proud of
9 its readiness in this area".

10 Our response was immediately, "There is no way we
11 can deliver EU police to this mission, given the
12 controversy surrounding the intervention in Iraq and the
13 likely extent of UN involvement".

14 When it became clear that -- we were not going to be
15 able to find 50,000 police in the UK, then the Americans
16 changed their mind, having approached us early on and
17 said: could we do policing; and we went back and said,
18 "It is impossible", the Americans then said, "It is
19 probably not necessary, because we will be able to stand
20 up the Iraqi police force". I think this was one of the
21 huge assumptions, that the Iraqi police force would
22 remain more or less in place. It was that in a sense
23 that coloured our approach, or at least our belief in
24 that that coloured our approach. We were then thinking:
25 what we need is to train and reform the Iraqi police

1 force; not replace it. That turned out subsequently to
2 be an erroneous assumption.

3 BARONESS USHA PRASHAR: Just to go back, where the US is
4 saying to you to involve the EU apparatus instead of the
5 UN; was this still a reluctance by the United Nations or
6 was it to supplement what the United Nations might or
7 might not do?

8 MR STEPHEN PATTISON: The approach to the EU was in summer
9 of 2003, so I am talking June or July 2003. So it was
10 after we had got the UN back in in what I might describe
11 as a skeletal form that was the result of Resolution
12 1483. It was clear that that skeletal form would not
13 form a credible basis for trying to get the UN police
14 force in, so we would have to look elsewhere.

15 BARONESS USHA PRASHAR: I mean, you said that the assumption
16 was that you would retrain the existing Iraqi Police,
17 and that this was on the assumption that you had
18 knowledge of the Iraqi Police being fairly effective.
19 Is that what the assumption was?

20 MR STEPHEN PATTISON: Well, I am not sure about their
21 effectiveness, but I think we assumed there would be
22 an Iraqi police force. Again I come back to what I said
23 this morning. Our assumption was that the Iraqi state
24 structures were reasonably strong, and you asked me this
25 morning, where did that assumption come from? Of course

1 it also came from the previous UN inspectors who had
2 been there. They knew how strong the Iraqi Police could
3 be because by and large they had harassed them for the
4 last ten years, but our assumption was that the Iraqi
5 administrative structures were reasonably strong, but
6 that what the police would need would be a lot of
7 things: like retraining. Retraining doesn't begin to
8 even touch the problem. We recognised there would be
9 a police force there that might well be tainted by its
10 association with Saddam. We would need to make sure
11 there was both a structure in place to make sure the
12 police behaved objectively, that there was machinery in
13 place to deal with human rights concerns, there was
14 machinery in place for retraining. We even got down to
15 talking about different uniforms and, you know, things
16 like that, whether their old medals would still be
17 valid. There were a number of things we understood that
18 we would need to do.

19 BARONESS USHA PRASHAR: "we" being?

20 MR STEPHEN PATTISON: We, the Foreign Office.

21 BARONESS USHA PRASHAR: The Foreign Office.

22 MR STEPHEN PATTISON: Yes. That we would need to do if we
23 were going to turn the old Saddam police apparatus into
24 something credible for the new Iraq.

25 BARONESS USHA PRASHAR: I mean, but even if you went down

1 that road in terms of retraining and reforming, I mean,
2 that was quite a substantial task, given that it had
3 been trained under Saddam's regime, and there were
4 concerns about human rights and subjectivity as you said
5 earlier. Was there any suggestion about how that might
6 be done, who might be involved?

7 MR STEPHEN PATTISON: I mean, there was some, but again, my
8 own view is there wasn't enough. There wasn't -- again,
9 it plays into the point I made this morning about the
10 Iraq Planning Unit, I think, was too little, too late.
11 We were doing some and -- the United Nations Department
12 was doing some. We were aware of the constraints and we
13 were aware of roughly how many police we could provide
14 to do training and it wasn't very many. This would have
15 to be a wholly voluntary force. Any police deployed
16 would need the approval of their Chief Constable. There
17 were duty of care issues.

18 You know, this was not going to be one of those
19 situations where you could simply turn on a tap of
20 British police to go and help. It was going to be very
21 difficult. We certainly understood that, but I'm not
22 aware that there was ever a serious discussion of
23 post-conflict police issues, either in IPU, the Iraq
24 Planning Unit, or more widely in Whitehall.

25 BARONESS USHA PRASHAR: Was any consideration given to what

1 might be the role of the Iraqi police post-invasion if
2 there was a breakdown of law and order?

3 MR STEPHEN PATTISON: The short answer is no. No-one, as
4 far as I am aware, envisaged the breakdown of law and
5 order that we saw. I think the breakdown of law and
6 order had two facets. One was, if you like, the sort of
7 criminality and looting that emerged immediately after
8 the fall of Saddam. Then, of course, shortly after
9 that, the insurgency and everything.

10 Well, we hadn't, to be frank, even looked at the
11 possibility of criminality and looting, let alone the
12 possibility of insurgency.

13 BARONESS USHA PRASHAR: Okay. Thank you.

14 SIR JOHN CHILCOT: Can I pick up this thread of questions
15 again and ask: am I right to have the impression that
16 your UN department really was self-tasking in addressing
17 the policing question.

18 MR STEPHEN PATTISON: Yes.

19 SIR JOHN CHILCOT: It was not a responsibility that was laid
20 on you from outside or on top.

21 MR STEPHEN PATTISON: Yes.

22 SIR JOHN CHILCOT: You saw a problem and did what you could
23 at that time.

24 MR STEPHEN PATTISON: Correct.

25 SIR JOHN CHILCOT: We have had a lot of evidence about the

1 state of knowledge of Iraq before the invasion in the
2 British system. Was there available from anywhere, the
3 Middle East department, the researchers, any assessment
4 of the status and state of policing and the police
5 system in Iraq, or were you drawing on a blank canvas?

6 MR STEPHEN PATTISON: We were drawing on a blank canvas,
7 I think. There are one or two research department
8 papers that I can dimly recall that looked at this kind
9 of thing, but they were a bit dated and a bit sketchy,
10 as you would expect.

11 SIR JOHN CHILCOT: I think we have probably had this answer
12 already this afternoon, but when the United States
13 were -- I won't say rebuffed, but when their request
14 that the UK take the lead on policing, post-invasion
15 Iraq was, "Sorry, no go", their assumption then became
16 one, "There is an effective working police system. We
17 will build on that". Rather cognate with our assumption
18 about a functioning bureaucracy in Iraq. Was it the
19 same situation?

20 MR STEPHEN PATTISON: I think it probably was, is the short
21 answer. If you are asking me: did the US have access to
22 harder information about what Iraq was really like than
23 we did; I can't say for sure they did. Yes, they were
24 talking to more Iraqis who they hoped would play a role
25 in post-conflict Iraq, but I am not sure their

1 information was any more reliable.

2 SIR JOHN CHILCOT: Still ahead of the actual events, just to
3 pursue the question of what was actually being done:
4 given that you have taken on, identified a planning need
5 and a need for contingency plans for some action, you
6 said you had been in touch with the MoD about deployment
7 of Ministry of Defence police, or was it Royal Military
8 Police to deploy, but there was no contact, or was
9 there, with ACPO or the Home Office in this early --
10 just before the invasion phase?

11 We have evidence from Paul Kernaghan, the police
12 constable who had the ACPO portfolio, that he had not
13 been contacted by the Home Office or indeed by the FCO
14 about post-invasion contingency planning.

15 So these threads had not been pulled together in
16 January, February, March.

17 MR STEPHEN PATTISON: I think that's probably right.

18 I can't remember, to be honest, at what stage Paul
19 Kernaghan or ACPO were involved in Iraq. Paul Kernaghan
20 was someone we saw quite a lot of because he was our
21 main contact point with ACPO. Certainly by about April
22 we were in quite intensive contact with him and he went
23 to Baghdad.

24 SIR JOHN CHILCOT: We would like to come on to the
25 post-invasion later.

1 MR STEPHEN PATTISON: Before, I think the straightforward
2 answer to your question is there was not really
3 an attempt to pull much of this together.

4 I had held a meeting in January at which -- I can't
5 remember now, but I am pretty certain we considered what
6 sort of police would be suitable for Iraq, and, of
7 course, the immediate criteria was that they would have
8 to be armed. Now that meant essentially it was only
9 PSNI, Police Service of Northern Ireland, or Ministry of
10 Defence police.

11 Now at that time PSNI, who had done quite a lot of
12 policing for us in the past, were actually saying they
13 couldn't really do much more international policing
14 because of the reform of the Northern Ireland police
15 service. So they were pre-occupied with that. That
16 effectively meant our only source of police was going to
17 be the Ministry of Defence police.

18 Then we started to talk to the Ministry of Defence
19 about whether we could have any, whether we could start
20 to train them and whether they could be ready to deploy
21 fairly soon after the fall of Saddam.

22 SIR JOHN CHILCOT: Can I finish on this broader question?
23 You said there was little to no up-to-date knowledge at
24 least of the situation of the Iraqi Police system in
25 early 2003. I imagine -- am I right -- that this also

1 extends to the entirety of their justice system in which
2 after many years of Saddam's tyranny, there was unlikely
3 that there was to be a trustable, high skill, high
4 integrity justice system. Was that also within your
5 sights as something that would need to be addressed in
6 the post-invasion phase?

7 MR STEPHEN PATTISON: The short answer is no.

8 SIR JOHN CHILCOT: Should it have been someone's
9 responsibility within the British Government system?

10 MR STEPHEN PATTISON: Well, I have made my comments about
11 our Iraq Planning Unit which I think ought to have had
12 responsibility for planning what we would do in Iraq
13 once we got there and ideally then mobilising people who
14 had relevant expertise like the United Nations
15 Department to help, but I've made that point.

16 I mean, I think in the end, if I may say so, on this
17 we did actually move quite quickly. We did have
18 a security sector reform expert go to Baghdad, I think
19 in April or May, although I would have to look at my
20 notes to confirm it, so we were moving in the end quite
21 quickly. We did have access to expertise that could
22 enable us to do that, but in terms of pre-conflict
23 planning for that sort of thing, I will be honest,
24 I think we were caught unawares by what we found when we
25 got there.

1 SIR JOHN CHILCOT: Which is exactly the right point for me
2 to turn to Baroness Prashar, the invasion having now
3 just happened.

4 BARONESS USHA PRASHAR: Can we just look at some of the
5 post-invasion period, because, as you said earlier,
6 there was heavy looting across Iraq and there was
7 obviously a general absence of law and order.

8 I mean, you were not expecting that scenario, were
9 you? Was that something that was anticipated?

10 MR STEPHEN PATTISON: If it was, no-one, as it were, told me
11 about it.

12 BARONESS USHA PRASHAR: What action did you take to address
13 the problem immediately? It was immediately after the
14 invasion.

15 MR STEPHEN PATTISON: Because of the work we had done
16 prior -- the United Nations Department had done -- prior to
17 the invasion, when it became clear there was a problem
18 of looting and criminality, I was able to say to
19 Peter Ricketts and the Permanent Under-Secretary in the
20 Foreign Office that I thought we could provide some
21 police help and I was talking in terms of dozens, not
22 hundreds, but at least something, and someone to go and
23 look at what was happening to the Iraqi Police.

24 Because of the contacts we had with Paul Kernaghan,
25 he was very willing to volunteer and go and take a first

1 look at it for us, and I think by -- again I would have
2 to check -- May we managed to get the first MoD trainers
3 in, May or June. Certainly by July, I remember the
4 first group of graduates had graduated from our
5 training.

6 So, if you like, from an almost standing start with
7 just a little bit of contingency planning that I had
8 done, we were able to deliver something reasonably
9 quickly. I am not saying it was enough, but it was
10 something. Paul Kernaghan went there. He came back and
11 he did a report. Much of his report focused, to be
12 honest, on how dangerous it would be to send many
13 British police there. Obviously as the situation
14 deteriorated, he was very worried about the safety of
15 British police and he felt a very strong duty of care
16 towards them, and rightly so.

17 Paul Kernaghan also made very helpful comments
18 really about: in a sense it would be nice if we were not
19 starting from here, if we had actually managed to
20 foresee this and plan better for it; and I have to say,
21 I think that was entirely fair. Of course it was. But
22 we were faced with the situation we were faced with.

23 We had another expert, a security sector reform
24 expert, who was one of DFID's contacts, who was sent
25 out, again, I think, by the end of April or early May,

1 to do a more in-depth study of security sector reform in
2 Iraq.

3 So we had a few things that we could deliver when it
4 became clear the situation was worse than we had
5 thought.

6 BARONESS USHA PRASHAR: But you would agree, given the scale
7 of the problem, this was not proportionate to what was
8 required?

9 MR STEPHEN PATTISON: Absolutely no doubt about that.

10 BARONESS USHA PRASHAR: Can I just look at the issue of
11 de-Ba'athification, because on 16th May the CPA order
12 was issued. Were you aware of that in advance?

13 MR STEPHEN PATTISON: No, not of the order in advance, no,
14 no. I wasn't.

15 BARONESS USHA PRASHAR: Did it take you by surprise?

16 MR STEPHEN PATTISON: Well, it did me. Again, that doesn't
17 mean the whole Foreign Office wasn't aware of it. It
18 took me by surprise, yes. As I think I have said in my
19 statement, I thought it was catastrophically the wrong
20 decision.

21 BARONESS USHA PRASHAR: Yes. You say it was a mistake.

22 MR STEPHEN PATTISON: Yes.

23 BARONESS USHA PRASHAR: What did you see as the alternative?
24 If de-Ba'athification was a mistake, what were the
25 alternatives?

1 MR STEPHEN PATTISON: The alternative was -- let me come
2 back to some of the things I tried to describe this
3 morning. In my experience of post-conflict societies,
4 and not just post-conflict societies, but actually
5 I spent some time in Poland -- now, Poland is not the
6 same -- but it was just at the time when Poland was
7 emerging from communism. What was absolutely clear in
8 Poland, as in most of those other central European
9 countries, was that officials who had hitherto been
10 perfectly good communists actually became pretty good
11 capitalists overnight. To some extent that had been
12 true in other states as well, where the UN had
13 intervened in post-conflict situations.

14 My sense was that the Ba'ath Party civil servants
15 were essentially secular, that they were, as I say,
16 I thought essentially quite efficient, that most of them
17 were probably technocrats rather than idealogues as they
18 had turned out to be in central Europe, and we could
19 indeed operate with these people for a certain length of
20 time. I think I am right in saying, but I am not
21 an expert on this but I did look at it before, it is
22 what the Americans did in Japan at the end of the Second
23 World War. The Americans were very concerned about
24 removing the top layer of the Japanese government
25 hierarchy, but actually for the rest worked with the

1 existing bureaucracy.

2 My thought was that that is the approach we should
3 have tried, at least to stabilise Iraq and to give
4 a breathing space for the emergence of new
5 self-governing arrangements.

6 BARONESS USHA PRASHAR: Given what you said earlier, that
7 there was a thought about retraining and reforming, and
8 this is something you were discussing with the
9 Americans, and given what you have just said now, why
10 did it not penetrate the CPA before the
11 de-Ba'athification order was given? Can you enlighten
12 us why that didn't happen?

13 MR STEPHEN PATTISON: I can't. I have spoken to a number of
14 people who were involved in the CPA, as I am sure you
15 have, about the de-Ba'athification decision. The answer
16 I quite often get is that de-Ba'athification was
17 happening anyway is what they say, ie a lot of the
18 Ba'ath Party officials were just not turning up for
19 work. So they were absent.

20 Now, to be honest, my answer to that is we should
21 have realised that without those officials, we were
22 going to struggle really hard to get this country
23 going again, and we should have reached out to those
24 officials in order to bring them back in by offering
25 them assurances about their pensions or their security

1 or their jobs or whatever.

2 I think the reaction that the CPA pursued of
3 immediately announcing de-Ba'athification was a bit of
4 a knee-jerk reaction, if I am absolutely honest, to the
5 situation they found.

6 BARONESS USHA PRASHAR: Inability to influence them?

7 MR STEPHEN PATTISON: Well, now, this is a huge question.

8 As I have said in my statement, I don't think that --
9 this is not a comment about any individual -- I don't
10 think that on the ground in Iraq and maybe even dealing
11 essentially with Iraq policy in London, we had enough
12 people who understood the dynamics of post-conflict
13 reconstruction well enough.

14 That's the first point, but it is not as easy as
15 that. Influencing a superpower, as I touched on this
16 morning, is extremely difficult. I happen to think it
17 is not impossible. At one stage I spent four and a half
18 years in Washington. I know how difficult it is to get
19 the administration in one place with all the different
20 agencies. I know how difficult it is to make sure you
21 are talking to the right people. I know it's difficult
22 to balance high level messages with low level
23 information, but you have to do all of those things. It
24 is not enough to say, in my view, that only the Prime
25 Minister or the President can solve this together.

1 Actually, even if they could agree, that's not enough.
2 You then need to be in among the American bureaucracy
3 working these issues very hard.

4 I think with that sort of approach, we might have
5 effected a change.

6 BARONESS USHA PRASHAR: Can I ask you my last question about
7 the position in Whitehall. In your statement you say
8 that you held a cross-Whitehall policing meeting on 6th
9 June, because no-one else was doing so.

10 MR STEPHEN PATTISON: Yes.

11 BARONESS USHA PRASHAR: Who in your view should have held
12 these meetings, because wasn't FCO responsible for
13 overseas policing missions?

14 MR STEPHEN PATTISON: True. But I come back to the point
15 that our responsibility had been historically
16 operational. What I was trying to do was to fill what
17 I perceived to be a policy gap. No-one was really
18 thinking about what sort of police, who should we
19 involve and how could we do it?

20 BARONESS USHA PRASHAR: You saw your role in terms of
21 policy, and you thought the operational side was
22 somebody else's responsibility?

23 MR STEPHEN PATTISON: No, the other way round. I saw our
24 role essentially as operational. The policy side in my
25 view belonged to the Iraq planning policy unit.

1 BARONESS USHA PRASHAR: You held the meeting to look at
2 operational units?

3 MR STEPHEN PATTISON: I held the meeting to look at what we
4 were going to try to do on policing in Iraq, because
5 no-one else was doing it. We invited Iraq Policy Unit
6 people, and we had a discussion which, so far as
7 I recall, did not in the end get into very much detail
8 on policy other than to say, you know -- by then we had
9 a security sector reform strategy that we were going to
10 try to implement. We had a few UK police there doing
11 training. I am not sure that by that stage, I think the
12 Americans were beginning to talk about using DynCorp to
13 do it for them. That slightly took the wind out of our
14 sails.

15 SIR JOHN CHILCOT: Just a couple of supplementaries before
16 I turn to Sir Roderic Lyne. The first is about the
17 exact sequence, picking up the British police service
18 connection. I am looking at Paul Kernaghan 's
19 statement, and the chronology he gives is he was on
20 leave in the States when Baghdad fell. He had had no
21 contact before he left for that leave. When he got back
22 to the UK, he was contacted by the Home Office on
23 14th April and was told there had been a Cabinet meeting
24 at which the Home Secretary had said he wanted to be in
25 a position to react quickly to any request for

1 assistance. That's on the Home Office front, on their
2 initiative. He also reports that:

3 "The MDP", the Ministry of Defence Police, "had sent
4 out two officers to make a short reconnaissance visit in
5 response to a request from GOC1 Armoured Division."

6 He then sets out his initial thoughts, he says, in
7 an e-mail to the Home Office on the 15th. On the 17th
8 he e-mails the Foreign Office, suggesting a need for
9 a joined-up response and the FCO convened a meeting.
10 I imagine that's your own meeting.

11 Does that coincide with your recollection of how it
12 started to pull together?

13 MR STEPHEN PATTISON: Yes, I think so. I am sorry. I am
14 looking at my notes here. I wrote to Paul Kernaghan on
15 15th April, following an e-mail from him which I haven't
16 been able to try and trace. I said to him that ORHA had
17 already established a justice unit looking at some of
18 the issues he identified. We pulled together a meeting.
19 He wrote to me on 25th April saying: he was grateful
20 I pulled together the meeting so quickly. I had forgotten
21 the bit about the Cabinet or the Home Secretary saying
22 that, but I wouldn't necessarily have seen that piece of
23 information at the time.

24 SIR JOHN CHILCOT: Thank you. I just wanted to get that
25 chronology clear.

1 A very different point. You discussed with us
2 already the de-Ba'athification order, and part of CPA
3 order number 1. Of course, the other part was the
4 situation of the Iraqi army and its demobilisation, some
5 say self-demobilised but nevertheless it was
6 demobilised.

7 Was there in your first thoughts about the policing
8 issues any sense that the Iraqi army, if it had been
9 held together more actively, could have provided, as it
10 were, basic security at least for an interim period,
11 given that it was essentially Sunni officers with
12 conscript Shia other ranks, so in different parts of
13 Iraq would have been perceived very differently?

14 MR STEPHEN PATTISON: I think this was a very difficult
15 question, is the honest answer. My assumption was that
16 the army could have continued to play a role in
17 policing, if you like, but I don't underestimate how
18 difficult that would have been. I am not an expert in
19 Sunni/Shia tensions in Iraq, but my sense is that there
20 was a moment just after the fall of Saddam when if we
21 had had the proper arrangements in place, we could have
22 done more to head off what subsequently became the
23 conflict between Sunni and Shia.

24 There are a number of factors which journalists and
25 others have pointed out that

1 de-Ba'athification and disbandment of the army
2 immediately created a pool of disaffected Sunni, which
3 were, if you like, that typical tacit community which
4 allows radicals and insurgents to thrive. Those people
5 themselves don't have to support the aims of the
6 radicals and insurgents. All they have to do is do
7 nothing, and the radicals and insurgents dominate the
8 agenda for them.

9 I think there was a spiral that followed from some
10 of those decisions which -- here again one cannot say
11 for sure, but I think we might have done more to avoid,
12 had we taken better decisions at the outset.

13 SIR JOHN CHILCOT: Thank you. I will turn to Sir Roderic
14 Lyne now. Rod.

15 SIR RODERIC LYNE: Just a couple of follow-up questions for
16 Stephen Pattison, first of all.

17 On 15th January the Chiefs of Staff briefed the
18 Prime Minister on their military plans, and the record
19 shows that he asked what the worst case was of the
20 situation we might face in Iraq, to which the answer was
21 essentially in terms of a breakdown of law and order and
22 security, insurgency and so on. The chiefs are recorded
23 as expressing their concerns about the state of or lack
24 of aftermath planning at that point, which very much
25 chimes with the points that you were making.

1 Now, clearly, this point was being recognised within
2 the Ministry of Defence by mid-January. Was that not
3 percolating at all across the street to you, that they
4 were worried about security, couldn't see the aftermath
5 planning? They self-evidently were not doing that bit
6 of it themselves.

7 MR STEPHEN PATTISON: It certainly didn't come to me.

8 SIR RODERIC LYNE: It didn't get through to you at all.

9 MR STEPHEN PATTISON: I should say, I would not
10 automatically have expected it to, if we are talking
11 about process, but I would certainly have expected
12 someone in the Foreign Office on the Middle East side to
13 have picked something like that up.

14 SIR RODERIC LYNE: Did you or your department have direct
15 contacts with the Ministry of Defence?

16 MR STEPHEN PATTISON: Well, only with the police -- the
17 people who arranged the deployment of MoD police.

18 SIR RODERIC LYNE: Otherwise not. You talked to us now
19 about how things might have been different if there had
20 been the proper arrangements in place. One suggestion
21 that a number of witnesses have made to us was at that
22 proper arrangements for ensuring that law and order
23 didn't break down immediately after the conflict might
24 have or should have included much larger numbers of
25 troops in the first instance to guard things, prevent

1 looting, guard ammunition dumps, guard borders and on.

2 Is that something from what you saw you would
3 endorse?

4 MR STEPHEN PATTISON: Entirely, yes.

5 SIR RODERIC LYNE: Hold the ring at that stage. How much
6 time did you personally spend -- you obviously thought
7 a lot about the policing side. Were you personally
8 spending a lot of your own time on this? Were you the
9 main point of contact for Paul Kernaghan, for example?

10 MR STEPHEN PATTISON: No, I wouldn't say I was the main
11 point for Paul Kernaghan. We had a policing unit in UND
12 and they had quite a lot of contact with Paul. As I
13 say, it was mostly over operational issues, duty of care
14 stuff, terms and conditions, advertising for volunteers,
15 those sorts of things.

16 I always -- I knew Paul, and I always thought he
17 understood that if there was an issue that he felt
18 required my attention or anyone's attention, he could
19 come to us. He did so over the correspondence I talked
20 about in April when he went to Iraq and found that we
21 had no strategy in a sense, and he came to me and we
22 started correspondence and meetings followed, but in the
23 run-up to the conflict, I don't remember him coming at
24 all to talk about Iraq to me. It was only after we had
25 asked him to go there that I think he started to contact

1 me.

2 SIR RODERIC LYNE: Did you meet the other senior police
3 officers who went out, like Douglas Brand and
4 Stephen White?

5 MR STEPHEN PATTISON: Now, here I am hazy. I have certainly
6 met them both, but I am not sure I met them that summer
7 or whether I met them later, if I can put it that way.

8 SIR RODERIC LYNE: So they were mainly dealt with by your
9 policing unit.

10 MR STEPHEN PATTISON: Yes, yes, yes.

11 SIR RODERIC LYNE: They are obviously people at a very
12 senior level. Paul is a Chief Constable. Were you
13 satisfied that the people you had handling this issue
14 had the capability to deal with a task on this scale and
15 with very senior police officers effectively?

16 MR STEPHEN PATTISON: Yes. Dare I say it, we had a desk
17 officer in that department who would phone up Hugh Orde
18 in the PSNI and talk about advertising vacancies.

19 I didn't get the impression that the police were -- how
20 can I put it -- sensitive about rank. I got the
21 impression that most of the issues we were talking to
22 them about were the nuts and bolts of operational
23 issues, which they accepted it was sensible to discuss
24 with a person in the Foreign Office who was dealing with
25 the nuts and bolts of those issues. I don't think the

1 people in UND who were talking to the senior police were
2 talking police policy issues. They were talking, as
3 I say, operational issues.

4 SIR RODERIC LYNE: So you didn't get a sense that the police
5 felt that the Foreign Office was not dealing with them
6 effectively? They were, so far as you were aware,
7 confident in the way they were being handled by the
8 Foreign Office, briefed and dealt with and so on?

9 MR STEPHEN PATTISON: The short answer is yes. Yes.

10 I never heard any of them complain that they weren't
11 being dealt with effectively over the issues they were
12 dealing with us on. Much later, and leaping ahead now
13 a couple of years, when I came back to the Foreign
14 Office, and I was in touch with Paul Kernaghan again,
15 and we set up a little steering group, I think
16 co-chaired by Paul and myself, to try to develop
17 a better strategy within Whitehall for policing.

18 We brought together the Home Office and we brought
19 together Chief Constables from a number of the key
20 forces and so on. We worked very closely together,
21 developing a strategy for how we would do this in
22 future. I think Paul thought that was entirely the
23 appropriate sort of activity for me to get involved in
24 with him, while at the same time if he was talking about
25 paying expenses or placing adverts for volunteers, he would

1 deal effectively with other people in the
2 Foreign Office.

3 SIR RODERIC LYNE: Perhaps I can turn now to John Buck. You
4 took over as Iraq Director in September of 2003.

5 At that point, who was leading on security sector
6 reform in Iraq? Was it your Directorate or was it still
7 resting with UND? You had by then subsumed the Iraq
8 planning or policy unit into your Directorate, had you?

9 MR JOHN BUCK: I mean, I arrived at the point where the
10 Directorate was being created and we inherited overall
11 responsibility for security sector reform, although
12 obviously on the military side the MoD were very much in
13 the lead.

14 There was an immediate question as to what the
15 transfer of responsibility from UND to the Iraq
16 Directorate actually meant, and whether this was simply
17 a question of our taking over all their
18 responsibilities, or could we manage this in some other
19 way, and it was clearly -- it would have been completely
20 unsensible to have lost all the expertise that there was
21 in UND. So we incorporated Stephen's experts as had
22 been in UND into a wider project team that was initially
23 led by an officer who had been leading on security
24 sector reform in the Directorate, and a few weeks after
25 my arrival was led from then on by somebody who we

1 recruited, a counsellor of one star level, to take over
2 that responsibility.

3 SIR RODERIC LYNE: Having done that, did you feel you now
4 had a coherent FCO approach to policing in Iraq?

5 MR JOHN BUCK: I think we had the necessary resources to do
6 what we were doing at the time. If I look across the
7 Directorate and look back, at the time I actually felt
8 of the three main areas we were covering, the policy
9 area and everything that entailed, the operations area
10 and the security sector reform area I thought the
11 security sector reform area was probably better staffed
12 in terms of numbers than any other area of the
13 Directorate.

14 Did we have a coherent approach to policing?

15 I think we were still very much feeling our way, to be
16 perfectly honest. By the time I had taken over,
17 an initiative was underway within the 43 England and
18 Wales police services to bring together a pool of 200
19 police volunteers to do both monitoring and mentoring
20 and training in Iraq.

21 In reality around that time it became clear that
22 training was, one, the overall priority of the CPA and,
23 secondly, the one thing we could do effectively with
24 civilian policemen, given some of the constraints, and
25 the number of people we were likely to be able to

1 deploy.

2 So was there a coherent FCO approach? I think it
3 was coherent but there were gaps. One gap was clearly
4 on the mentoring side, which we didn't fix actually
5 until probably mid-2004.

6 The other gap, I think, was on the policy side in
7 that we had Doug Brand in place, partly at least to
8 influence the evolution of CPA's policy, but our main
9 concern at that time was that there should be a policy,
10 that there should be an overall framework for the
11 direction of travel of the development of the Iraqi
12 Police.

13 There were certainly constraints on that, actually.
14 I think it is something which hasn't necessarily come
15 out in some of the discussion, but there was on a lot of
16 issues at that time a lot of sensitivity about the
17 powers of the occupying authorities and to what extent
18 we could change existing structures as necessary. It
19 became a particular focus in the context of
20 privatisation, where the Americans wanted to privatise
21 on a very wide scale and we were very much restraining
22 them.

23 So I think at the back of our minds was a sense that
24 the overall shape of the Iraqi Police was something
25 which in the end had to be decided post-transition, but

1 I wouldn't pretend that this was something that was
2 particularly well thought out at the time. Our major
3 concern on policy framework, on strategy, was that there
4 should be a strategy, and my recollection is that we
5 didn't really have anything that might be described as
6 a strategy. Even describing it as a strategy might
7 arguably be stretching the term until June 2003.

8 SIR RODERIC LYNE: I want to come back in a few minutes to
9 the detailed question of how the CPA handled it and the
10 strategy.

11 Just a final question on how things were organised
12 in the Foreign Office. This means with the creation of
13 the Iraq Directorate, you as the Director were clearly
14 the person in charge of this as of other subjects
15 relating to Iraq within the Foreign Office.

16 Was this something you personally spent
17 a significant part of your own time on?

18 MR JOHN BUCK: It varied. I spent quite a lot during the
19 autumn on it. I spent less after that. Once we had in
20 place a head of the SSR, security sector reform unit,
21 which I think was about the end of October, she took
22 over more of the responsibility.

23 SIR RODERIC LYNE: Just to repeat the question I was just
24 asking Stephen, did you personally meet senior police
25 officers engaged in this like Douglas Brand and so on?

1 MR JOHN BUCK: Douglas Brand was already in place when --

2 SIR RODERIC LYNE: He came back from time to time?

3 MR JOHN BUCK: He came back from time to time and I saw him.

4 I was in contact with and worked quite closely with Paul

5 Kernaghan on the international conference we had.

6 I can't honestly remember meeting Stephen White. I am

7 not quite sure why that was. It may well be his visits

8 to London didn't coincide.

9 I visited Iraq in February 2004 and met the whole of

10 Patrick Nixon's top team, which would have included

11 Philip Read at the time and I visited the Az

12 Zybair training facility at that time, but the

13 relationships with our police on the ground were very

14 much held by the SSR unit.

15 SIR RODERIC LYNE: Did you ever get any feedback, positive

16 or negative, about how the police officers doing this

17 work for us viewed the SSR unit?

18 MR JOHN BUCK: I don't recall -- certainly there was no

19 criticism. I am just trying to recall whether there was

20 any particular praise. No. I mean, I don't recall any

21 feedback coming direct to me, but that may well have

22 been my fault, in the sense that not having that close

23 a relationship, it might not have been possible for the

24 policemen on the ground to feed back any concerns they

25 had to me.

1 SIR RODERIC LYNE: Thank you.

2 SIR JOHN CHILCOT: Lawrence, over to you.

3 SIR LAWRENCE FREEDMAN: Just following on from this, you
4 mentioned Stephen White, who was, I think, in Basra from
5 July 2003 to January 2004. From what he said:

6 "In the way there were various FCO groups, UND, IPU,
7 Iraq Directorate, Iraq Security Sector Unit. It would
8 have been useful if each unit was proactive in
9 explaining its remit and strengthening its particular
10 relationship with persons in Iraq from whom it sought
11 information or whom its decision might affect."

12 Do you recognise this as a concern? Do you think
13 people were clear on roles and responsibilities?

14 MR JOHN BUCK: Well, I think -- I mean, I recognise that
15 from Stephen White's statement. I don't recognise it as
16 either anything that was said at the time or the picture
17 I had from my end. I mean, clearly I think what that
18 reveals is a lack of communication on our part about the
19 way in which we were structured in London, because, as
20 he describes it, he is describing people who were all
21 essentially working in the same team, but had different
22 titles and different hats.

23 I do wonder in retrospect whether we had simply too
24 many individuals communicating with the police on the
25 ground about their own separate issue.

1 SIR LAWRENCE FREEDMAN: I mean, that seems to me to be the
2 gravamen of his concern, that there were too many
3 different groups.

4 MR JOHN BUCK: Yes.

5 SIR LAWRENCE FREEDMAN: He cites an e-mail from the FCO UN
6 department saying:

7 "It is good that you have copied the IPU into
8 things, but they are responsible for security sector
9 reform whereas we are responsible for police reform."

10 Mr Pattison may want to comment on this as well.

11 MR JOHN BUCK: There was clearly a gap in our explaining how
12 we were handling things in London. Because although
13 that e-mail would have gone out with the officer's title
14 as UN department, he or she would have been
15 a fully-integrated member of the police project team
16 which was itself part of the security sector reform
17 team.

18 SIR LAWRENCE FREEDMAN: Could there have been more
19 amalgamation of these different units?

20 MR JOHN BUCK: They were amalgamated. That's the point I am
21 making. They were in operational terms amalgamated. It
22 is the case that the people in UND who were dealing with
23 police -- the operational side of policing in Iraq were
24 also dealing with continuing police operations
25 elsewhere, but that's the nature of the project team,

1 where, you know, you hoist in people who have other
2 responsibilities as well. It is also the case that one
3 or two of the people in the Directorate side of that
4 project team who were dealing with policing would have
5 had other responsibilities.

6 Now, whether it would have been better to create
7 a team that did nothing other than policing in Iraq, I
8 am not sure. You would have lost expertise on the other
9 side of UN policing operations, and I think it is a fair
10 point that expertise on policing in the Foreign Office
11 was very, very narrowly concentrated. Only a tiny
12 number of people had ever had anything to do with police
13 operations overseas. That was the nature of our
14 engagement in policing.

15 SIR LAWRENCE FREEDMAN: I don't know whether

16 Stephen Pattison wants to comment on that point.

17 MR STEPHEN PATTISON: The last point that John said I think
18 is certainly true. There was very little expertise.

19 In terms of integration, integration, my impression
20 is that integration took place, let's say, September
21 2003. I think, as I have just implied, prior to that,
22 the Iraq Planning Unit wasn't really focusing on these
23 issues at all. We in the United Nations Department were
24 trying to chip in as best we could with our expertise,
25 but there wasn't a concerted strategy.

1 I can understand the police feeling -- and I have
2 seen this in other references -- that there were
3 slightly too many people to talk to on these issues.
4 I think to be honest, that's a bit unfair. As it were,
5 you can't win. Either you only have a handful of people
6 dealing with it and it is not enough, or there is
7 a whole lot of people dealing with it and there are too
8 many people to talk to. I think it is not fair to accept
9 there were too many people to organise this efficiently.
10 I don't think that was the issue at all.

11 I think the problems organising this more
12 efficiently were actually practically insurmountable by
13 that stage.

14 SIR LAWRENCE FREEDMAN: They were problems on the ground
15 rather than --

16 MR STEPHEN PATTISON: They were problems on the ground and
17 they were problems of -- even given that problem on the
18 ground, what on earth do you do about it? That was not
19 an easy question to answer.

20 SIR LAWRENCE FREEDMAN: What about this point about
21 expertise? You have described to us earlier how almost
22 inadvertently, because you saw a need, there was a role
23 for the FCO in an area people might not expect their
24 role to be. So within the FCO, there couldn't be that
25 many people with any sort of real expertise in policing

1 at that sort of level in that sort of circumstance.

2 MR STEPHEN PATTISON: No. That's absolutely correct, yes.

3 MR JOHN BUCK: Can I -- sorry, Sir Lawrence. If I could
4 just add something to that. This may be something you
5 want to talk about in a different part of this session,
6 but the whole question of how we organise within
7 government is something that is, I think, an important
8 lesson to be drawn from our experience in Iraq.

9 I think the system that existed in Stephen's
10 department worked very well so long as what we were
11 doing was essentially handing over policemen to another
12 executive authority, in most cases the UN. I think it
13 worked far less well, which is no criticism at all of
14 the people who were working for me who did a fantastic
15 job, I think, but where the Foreign Office has
16 a notional executive responsibility for policing on the
17 ground which it is clearly unable to exercise because,
18 you know, we are not policemen, we have no expertise in
19 operational policing. I personally had at the time very
20 little knowledge of how a police force should be
21 structured. It then begins to break down, because what
22 you have at the centre is something of a policy vacuum,
23 I think, in terms of contributing to policing strategy.

24 The way we handled that was to get as many experts
25 on the ground as we could, not simply in terms of

1 policemen on the ground, but in terms of the Ministry of
2 the Interior, and of course more widely, the Ministry of
3 Justice and so forth.

4 SIR LAWRENCE FREEDMAN: What about drawing on expertise
5 within Whitehall? There is Home Office, Department of
6 Constitutional Affairs, Northern Ireland Office,
7 Scottish Executive, police forces themselves, MoD, DFID,
8 Cabinet Office. There is all sorts of groups that you
9 might expect to have some sort of experience in this.
10 How would you try to get some sort of cross-Whitehall
11 coherence?

12 MR JOHN BUCK: This was a continual exercise, not just on
13 policing, but on staffing the Baghdad and Basra
14 operations generally. This was all done on the basis of
15 volunteers. There was no body of people we could turn
16 to and say, "Can you go and do that job?" or, even
17 better, "Go and do that job".

18 We looked at getting somebody from the Home Office
19 to go out to the Ministry of the Interior. I think
20 I said in my statement, we succeeded in getting
21 somebody. It was somebody who had worked in the Home
22 Office and had recently retired. He left after two
23 weeks. The agreement was always that if people for
24 whatever reason decided that this was not for them when
25 they arrived at Baghdad or Basra, it was understood that

1 they would leave without any aspersion on their
2 abilities or career at all. It simply suited some
3 people and didn't suit others.

4 We then tried quite hard to get a replacement for
5 that person. If I remember rightly, we had somebody
6 lined up from the Northern Ireland office who had a
7 similar sort of skill set in the context of Northern
8 Ireland. He then pulled out shortly before he was due
9 to go to Baghdad. I don't know why that was. If I did,
10 I wouldn't talk about it in this setting. That was
11 a continual problem. I mean, we were -- it was
12 a hand-to-mouth existence, frankly. As I say, there was
13 no body of people for staffing this operation. It was
14 all done slightly on a wing and a prayer.

15 MR STEPHEN PATTISON: If I may just pick up on -- your
16 question is really about tapping into expertise on
17 security sector reform. I think you said there were a
18 lot of people around in Whitehall who might have known
19 about this. Of course you are right. There are a lot
20 of people in Whitehall who know about how the British
21 police system operates. There are not a lot of people
22 who can translate that into: what are we going to do in
23 Iraq.

24 What we were looking at in UND in the summer of 2003
25 was actually working with King's College on a study of

1 this kind of thing, because when you look -- I am just
2 refreshing my memory. The things in SSR -- the security
3 sector reform strategy had to include were police
4 reform, military reform, penal reform, the
5 demobilisation and reintegration of combatants, the
6 small arms and light weapons stored in the country or
7 held by individuals, the accountability of recruits.

8 Even, I wrote down the buildings, the kind of police
9 buildings. What were they like? The relationships with
10 intelligence agencies, borders agencies, human rights.
11 There was no-one in Whitehall who could have given you
12 an answer to: what are we going to do in Iraq about
13 these things.

14 So we were trying to draw on, as I say, outside
15 expertise through King's College with whom we had worked
16 in the past on a number of similar issues.

17 SIR LAWRENCE FREEDMAN: I should say at this point that's
18 where I am based. I was actually aware of the work that
19 we were doing on security sector reform in the late
20 1990s. A lot of this was with DFID. They sponsored
21 a lot of that work. You mentioned before the role of
22 DFID in encouraging work on security sector reform.
23 Were you still suffering at this stage from the sort of
24 breakdown of relations that you talked about before
25 lunch over 1483?

1 MR STEPHEN PATTISON: No, I don't think we were. Our first
2 security sector reform expert got to Baghdad, I think,
3 in April, and was a DFID contact, on the DFID list of
4 security sector reform experts. He got to Baghdad in
5 April. I think by May -- I had would have to go back to
6 my notes to be precise -- I think by May he had already
7 provided some sort of a report which was the beginnings
8 of our strategy. I agree with John, it was very nascent
9 at that stage, but we were trying to develop it, and
10 DFID by then, I think, were on board. They had come on
11 board entirely in my experience. We had no problems
12 working with them after May.

13 SIR LAWRENCE FREEDMAN: What about the global conflict
14 prevention pool? Did that help or hinder in terms of
15 trying to get Whitehall coordination on security sector
16 reform? You are both trying to choose your words.

17 MR STEPHEN PATTISON: You have to choose your words
18 carefully with the global conflict prevention pool. It
19 was set up as a bit of an experiment in
20 inter-departmental working on conflict prevention
21 issues. It was a joint budget administered by the
22 Foreign Office, Ministry of Defence, DFID, with input
23 from Cabinet Office and Treasury. Each department,
24 I think, had their own interests in what it was doing.
25 First of all, it was set up with money each

1 department was already spending. So they all had
2 a vested interest in keeping those projects going.

3 Secondly, the Treasury's main interest was in
4 keeping the overall costs down, and particularly trying
5 to monitor more closely the costs of peacekeeping, which
6 was part of the pool. So there is a peacekeeping part
7 of the pool and then there is an issue like the project
8 part of the pool.

9 The other dimension to this is -- and it was a very
10 strong DFID argument -- was that the pool in general
11 shouldn't be a slush fund for whatever issue is in the
12 newspapers that week, day or month. So DFID had argued,
13 and I think this was right, that if we were going to
14 finance projects, they had to be medium or long-term
15 projects. What that meant was if they are going to be
16 effective, you couldn't close them down straightaway.

17 So when we came to looking at the pool as a source
18 of funding, first of all, what we found was that by and
19 large, most of the money was already committed. I think
20 off the top of my head there was £5 million available
21 for a quick response fund in the middle of 2003, and
22 there may have been £6 million available unallocated
23 from the reserve.

24 I think in the end by September we had secured
25 £5 million in total for security sector reform strategy.

1 Now, between July and September, to have secured
2 that amount of money out of the global pool, was,
3 I think, a major achievement of working the bureaucracy.
4 It may not sound much, but my experience of that pool
5 was that it was hugely difficult to get agreement on
6 projects and to get them financed. To have done that
7 within the space of, whatever it was, eight or ten
8 weeks, I think was quite remarkable, but the pool's
9 resources were very limited.

10 Again later -- I am talking about 2007/2008 now --
11 Iraq was still competing for funding from the pool
12 against Afghanistan, against the Balkans, against
13 a whole range of other issues we can come on to later.

14 So it wasn't as though the pool money was there to
15 be spent on Iraq because Iraq was the most immediate
16 priority. There were other claims on the budget which
17 other departments fought very hard to maintain.

18 The question you asked was really about: did the
19 pool help facilitate interdepartmental working. I think
20 despite all those headaches I have just described,
21 despite departments having their own agendas, I think
22 the answer to this is broadly yes. I think we would not
23 have got as far as we did even on security sector reform
24 in the autumn of 2004 without the pool having
25 established that security sector reform was an issue.

1 It was an issue on which the Foreign Office and DFID
2 could cooperate and it was an issue to which the
3 Treasury was prepared to see funds diverted to.

4 I think, broadly speaking, the pools were helpful,
5 but they weren't an ATM machine that you could just walk
6 up to and take money out of.

7 MR JOHN BUCK: If I can just add, I mean, there is
8 a question of scale here. In terms of what was required
9 in Iraq if you take into account the whole process of
10 re-equipping the Iraqi security forces, what the GCPP
11 could do was miniscule. The Americans allocated
12 \$1 billion for 2004, I think, to policing alone. So,
13 you know, this was, in the grand scheme of things, very
14 much at the margins.

15 In retrospect it just strikes me as extraordinary
16 that, you know, the Prime Minister would be on to
17 President Bush saying, "Where is this money?" and what
18 we were actually doing by comparison was very, very
19 little in terms of resources. I say something about
20 this in my witness statement.

21 Stephen said that there was this continual tension
22 about whether the GCPP -- about the GCPP not being used
23 as a slush fund. I think what we mean by slush fund is
24 somewhere where you can go with a relatively small bit
25 of money that might make a difference. That was

1 precisely in some ways what was needed in Iraq a lot of
2 the time, just an ability you could have a pool of money
3 you to go to, and I quote in my witness statement one
4 example, to buy a transmitter for Al Iraqiya, the media
5 station in Iraq, little things that actually make a big
6 difference and we never had that pool of money.

7 The Treasury were completely resistant to the
8 contingency fund being used for those sorts of purpose.
9 All we got from the Treasury was the traditional
10 response, "should come out of existing resources", which
11 in normal times is absolutely fine, but trying to locate
12 within Whitehall a department budget that would be the
13 logical resource for the expenditure of a few hundred
14 thousand pounds on a radio transmitter is impossible.

15 I do think that was a real handicap in the early
16 months after the invasion. Once American money began
17 to flow, which it did towards the end of 2003, beginning
18 of 2004, I think, it was much, much, much better, and
19 money ceased to be a problem, because we had that plus
20 the oil revenues which were beginning to flow into the
21 Iraqi government's coffers. The problem became almost
22 in a sense spending the money. Up to that point, it was
23 really rather embarrassing, the position we were in. We
24 didn't have a source of funding.

25 SIR LAWRENCE FREEDMAN: Could I ask you one final question,

1 a quite specific question? In November 2003 the Foreign
2 Secretary wrote to Sir John Sawers, suggesting that the
3 Home Secretary should use his powers of direction to
4 direct support for the mission in Iraq. In the event
5 the Foreign Secretary didn't write to the Home Secretary
6 on this. Do you know why he didn't?

7 MR JOHN BUCK: No, I think he did. I think you may have
8 a draft rather than a final version of the letter, but
9 the draft we put up.¹ I mean, you know, there was
10 no expertise in the Foreign Office about the
11 powers of direction. This was obviously something he
12 knew about and the assumption was that he would -- and
13 in the final version it was added, in fact, but it's
14 worth checking. My recollection is that that was
15 actually the final version of the letter.

16 SIR LAWRENCE FREEDMAN: Do you recollect what happened?

17 MR JOHN BUCK: I think what happened was that the response
18 that came back from David Blunkett made no reference at
19 all to the powers of direction. I suspect -- I don't
20 know -- I suspect using powers of direction with police
21 forces is actually a very sensitive matter.

22 SIR LAWRENCE FREEDMAN: Thank you very much.

23 SIR JOHN CHILCOT: Right. Rod, over to you.

24 SIR RODERIC LYNE: Just to follow up, John Buck, on what you
25 were saying a couple of points ago, are you essentially

¹ The witness subsequently commented that he thought that he and Sir Lawrence might have been referring to different letters

1 saying you had a situation in which the Prime Minister
2 was very keen that we should get a move on and do
3 things, wanted us indeed to do an exemplary job in our
4 area. The Foreign Secretary was chairing the Cabinet
5 Committee on Iraq, meeting regularly in the
6 post-conflict phase. They were trying to pull on the
7 levers, but when it came down to liberating quite small
8 sums of money to buy transmitters, the Treasury was not
9 connected with the lever they were pulling, and actually
10 you didn't get delivery. You couldn't get action. Is
11 that essentially what happened?

12 MR JOHN BUCK: Yes.

13 SIR RODERIC LYNE: You were not able to go back up the chain
14 and get this unblocked from the top?

15 MR JOHN BUCK: Well, I think my interpretation of all this,
16 and it relates to the Iraq Strategy Group, I mean, the
17 Iraq Strategy Group was only in part a strategy group.
18 I think the way it was run, it was a kind of Star
19 Chamber in which each individual Ministry in turn was
20 held to account for what they had failed to do over
21 Iraq. I remember the FCO and DFID being given
22 a particularly tough time. All the departments in turn,
23 the MoD, DFID, the FCO were given a tough time at
24 different times. The one department that was never
25 given a tough time in my recollection was the Treasury.

1 I confess, I interpreted that as a reflection of broader
2 politics within the government.

3 So in your answer, did we go back up the chain? No.

4 I do remember writing a minute to the Permanent
5 Undersecretary in January or February 2004 in the
6 context of a very early lessons learned exercise saying:
7 this has been a problem.

8 SIR RODERIC LYNE: Thank you. Stephen Pattison, we were
9 talking about CPA just now. What did happen within the
10 CPA, and indeed under our influence to produce
11 a security sector reform strategy for Iraq? Can you
12 just spell it out for us, please.

13 MR STEPHEN PATTISON: I am not sure I can spell it out for
14 you in sufficient detail because I wasn't that close to
15 the CPA, but we had seconded a security sector reform
16 expert, who worked with other contacts in the CPA to
17 develop a security sector reform agenda. We had
18 a dialogue with Walt Slocombe, who was the American
19 appointee, looking at security sector reform issues, and
20 I certainly sent John Sawers material for him to use in
21 his discussions with Walt Slocombe. I think what
22 happened in the end was as we were working on these
23 kinds of issues, the problem of what to do immediately
24 in a sense overtook us in that summer, and, as I said,
25 I think the Americans latched on to DynCorp as the

1 solution to this and then for a time my impression is --

2 SIR RODERIC LYNE: DynCorp?

3 MR STEPHEN PATTISON: DynCorp. What is it called?

4 D-Y-N-C-O-R-P.

5 SIR RODERIC LYNE: The commercial contractors?

6 MR STEPHEN PATTISON: Yes. Because what I saw was the

7 Americans oscillating. They were talking to us about

8 policing and they were oscillating about numbers. At

9 one stage they were saying off the top of my head they

10 needed 5,000. They would provide 10 per cent or

11 something. Could we provide a small number and we will

12 get some other -- a coalition of the willing to do it?

13 Then they say, "This is never going to work. We are

14 never going to get up to 5,000", or whatever it was

15 then. Then, as I said: could we approach these other

16 organisations? That was hopeless. Then they finally

17 settled on DynCorp.

18 My impression is that with that the Americans

19 thought they had reached at least for the time being

20 a point of pause, a point of stasis, where they were

21 focusing on getting DynCorp up and running. The

22 security sector reform agenda then passes into basically

23 the autumn period and further work being done on the

24 various strategies that, as John said, were still fairly

25 embryonic at the time.

1 SIR RODERIC LYNE: Perhaps John would like to comment on the
2 autumn period. When you came in, did the CPA have
3 a strategy for security sector reform?

4 MR JOHN BUCK: The CPA had produced some good papers. It
5 bears on what Stephen was saying earlier about our lack
6 of knowledge. He is absolutely right, in the
7 pre-invasion period, we had very little accurate
8 knowledge of structures in Iraq and that included
9 policing. Actually by June, the CPA produced a very
10 good paper which analysed the way in which the police
11 operated within the overall security system that Saddam
12 had set up very well, and it was a very good paper
13 outlining the state of the police, the endemic
14 small-scale corruption, poor professional standards, and
15 very much at the bottom of the security pile,
16 concentrating on pretty routine tasks.

17 As I said, poorly trained and not very professional.

18 Against that background -- and this also relates to
19 what Stephen was saying earlier on about the effective
20 dissolution of the Iraqi police force -- my
21 understanding of what happened during that period, and
22 I was not involved until September, so it was really
23 sort of talking to people about the past, is that all
24 the Iraqi forces essentially melted away at the time of
25 the invasion, but in contrast to the army, an order went

1 out from the CPA effectively recalling the police to
2 their posts. By the time I took over, there were 30,000
3 Iraqi Police operating. I say operating. I am not sure
4 to what extent they were operating effectively, but
5 there was a police force of about 30,000 people.

6 Bernie Kerik had a vision of this being trained and
7 helped and mentored by 5,700 international police. Over
8 time, partly because of the well known external
9 political dynamics, but also because of the
10 deteriorating security situation, these numbers were
11 gradually downscaled until at the end of the year, the
12 US were talking about 1,500 police mentors. Actually,
13 we at the time thought even this was unrealistic in the
14 circumstances.

15 SIR RODERIC LYNE: We want to come back a bit later on to
16 the question of training and mentoring. What about the
17 wider criminal justice issues which you refer to in your
18 statement? Did you feel, apart from the specific issue
19 of the policing, these wider issues were also being
20 gripped by the CPA?

21 MR JOHN BUCK: I think -- I mean, I honestly think they
22 were. There were some very good papers produced by the
23 CPA, I think authored in part by an excellent British
24 secondee to the CPA who had not been recruited by us,
25 but I think had been recruited directly, outlining the

1 interlinkages between law and order and a proper
2 functioning criminal justice system, and the CPA set up
3 the office of transitional justice. I think it was the
4 Office of Human Rights and Transitional Justice. We
5 seconded quite a few people to that body. I say quite
6 a few, in the sort of British terms, we seconded eight
7 people into -- I think it was eight people into that
8 body. They were doing a lot of good work in beginning
9 to build the capacity of the justice system.

10 We also had people from Indict, which was the
11 organisation that Ann Clwyd was working very closely
12 with, on the ground helping very specifically with the
13 forensic examination of the mass graves, and also
14 training, if my recollection is correct, training Iraqi
15 investigators in forensics to a certain extent, although
16 a lot of that training was also in the end done in
17 a project in Abu Dhabi.

18 We had a British person running the CPA's human
19 rights approach, and we had a number of seconded staff.
20 So I think it was all happening.

21 What I am in retrospect less clear about, in all
22 honesty, is whether it was happening in a coherent,
23 strategic way or whether it was happening as a result of
24 needs and pressures as they appeared. I think probably
25 from our point of view, it was more of the latter, but

1 this was necessary work that clearly had to be done, and
2 we probably in that area, as indeed in policing,
3 produced a disproportionate, in the end, number of
4 people and made a disproportionate effort. For a long
5 time, we had on the police side the largest single
6 contingent in Jordan.

7 Can I just add -- sorry. You wanted to come back to
8 --

9 SIR RODERIC LYNE: We will come back.

10 SIR JOHN CHILCOT: Let's take a short break. Ten minutes.

11 (A short break)

12 SIR JOHN CHILCOT: We'll restart with Baroness Prashar.

13 BARONESS USHA PRASHAR: Thank you. I want to just very

14 briefly ask about the FCO's priorities and

15 responsibilities for the police reform, because Lord Jay

16 told us that he could not recollect being involved in

17 any discussions about policing, and yet it was seen as

18 one of the highest priorities by the Prime Minister.

19 Were you aware how important the Prime Minister

20 personally believed policing in Iraq to be?

21 MR STEPHEN PATTISON: During my time in UND, the answer is

22 no.

23 BARONESS USHA PRASHAR: Were you aware?

24 MR JOHN BUCK: To the extent there were a couple of

25 discussions during the autumn in the cross-department

1 strategy group about policing, very much focused on:
2 can't we get these people there earlier. And it was
3 pretty clear this was a priority for the Prime Minister.
4 We were aware of that.

5 BARONESS USHA PRASHAR: So given that, do you think policing
6 was given sufficient focus in the Foreign Office?

7 MR STEPHEN PATTISON: I have said what I have to say about
8 the lack of planning in advance.

9 MR JOHN BUCK: I think there is a wider question here. When
10 I arrived, I said to Jack Straw's Private Office that it
11 was important that I had a meeting with him every so
12 often, and the logical time to do that was prior to the
13 two-weekly, although sometimes they slipped to
14 three-weekly, meetings of ministers, the Ad Hoc
15 Committee.

16 That happened once. I had the first meeting and
17 actually I remember that meeting, because the Secretary
18 of State did say something about policing, because
19 I remember very clearly him saying how difficult as Home
20 Secretary he had always found the policing structure in
21 the UK. It was very difficult to engage with, and this
22 strange arrangement we had when you effectively had
23 a club of chiefs of police who were nevertheless very
24 influential, but over whom the Home Secretary had no
25 direct control. I remember having quite a useful chat

1 about policing in general terms at that stage.

2 I, having just started the job, knew very little
3 about policing and I found that quite useful. I never
4 had another meeting.

5 BARONESS USHA PRASHAR: So did you have time in just one ad
6 hoc meeting at which policing --

7 MR JOHN BUCK: I had about half an hour prior to the first
8 Ad Hoc meeting, or perhaps it was the second I attended.
9 Thereafter, despite asking his Private Office, I never
10 got any space, and I was lucky if I briefed the Foreign
11 Secretary as we walked across from the Foreign Office to
12 the Cabinet.

13 So, I mean, was there a sense of high level
14 importance? I mean, I think there was, but it rather
15 took the form, I have to say, of the occasional dump on
16 the Directorate. You know, I interpreted the Foreign
17 Secretary's minute of 27th November, to which you have
18 referred, as precisely that. Had I been in the position
19 where I had had a regular meeting with the Foreign
20 Secretary and had I been able to establish the sort of
21 relationship where he could have phoned me up, I could
22 have told him that all the action in -- that he was
23 worried about was actually in hand. The question of
24 writing from the Foreign Secretary to the Home
25 Secretary, the logical time to do that was once we had

1 final agreement from ACPO that the security situation
2 was okay. My recollection is that we had had the
3 security report from Basra and that was with Paul
4 Kernaghan awaiting his final approval. In fact, we got
5 final approval that very day.

6 BARONESS USHA PRASHAR: Against that background, I mean, in
7 November, I think the Foreign Secretary wrote to
8 Sir John Sawers, asking him to personally grip the
9 issue. Are you aware of that?

10 MR JOHN BUCK: That is precisely what I am referring to.
11 The implication of that was that we didn't have a grip
12 on the issue and in fact we did have a grip on the
13 issue. But by and large, and this is what I would
14 expect, it was an issue that was lodged, rightly, with
15 the Directorate in terms of the responsibility of
16 officials, and I would not have expected John Sawers to
17 get closely involved with it. I might have expected
18 rather more direct engagement from ministers.

19 BARONESS USHA PRASHAR: You did not get that?

20 MR JOHN BUCK: I don't recall that. As I say, I had the one
21 meeting with Jack Straw prior to the first Ad Hoc
22 ministerial meeting and I never had another meeting on
23 this particular subject. I did have one meeting with
24 him shortly after that first one, which was about Ann
25 Clwyd and human rights, and there was a Private

1 Secretary present at that time and he suggested that
2 there would be implications for my career if we didn't
3 find an early way of getting Ann access to confidential
4 papers.

5 Now, whether that subsequently -- that friction --
6 I actually was sufficiently concerned to report that to
7 the Permanent Undersecretary. Whether that friction
8 meant that we had fewer meetings thereafter than we
9 might have, whether that was an impact on that, I don't
10 know.

11 BARONESS USHA PRASHAR: Did you get any response from the
12 Permanent Undersecretary?

13 MR JOHN BUCK: As I recall, I simply spoke to him. It was,
14 "Yes, he does get like that sometimes, doesn't he?"

15 BARONESS USHA PRASHAR: Thank you. A clear picture.

16 SIR JOHN CHILCOT: Rod, over to you.

17 SIR RODERIC LYNE: How did he put it when he said there were
18 implications for your career?

19 MR JOHN BUCK: He said, "You're heading for a box 5 report
20 on this issue", and, as I recall, although that was the
21 thing that really stuck in my mind, there was some
22 general comment about my future in the organisation.

23 SIR RODERIC LYNE: Thereafter, the lack of contact, you
24 think, was because personally he had taken against you,
25 or because personally he was getting less and less

1 interested in the subject of Iraq, which was not going
2 very well.

3 MR JOHN BUCK: My overall impression, I have to say, was
4 that -- I am not sure this did have, you know, the
5 crucial impact. I think the Foreign Secretary has a lot
6 of other issues on his plate, and I'm not sure my
7 difficulty of getting meetings, briefing meetings with
8 him prior to the Ad Hoc ministerials was never brought
9 to his attention, and perhaps I should have done more to
10 ensure that it was, but the overall impression I had was
11 that, as it were, running Iraq was very much left to
12 officials. He engaged particularly on the diplomatic
13 aspects and had frequent conversations with Colin
14 Powell. I think he probably spoke to John Sawers
15 reasonably often.

16 SIR RODERIC LYNE: The official most concerned with running
17 Iraq in this period was presumably the Prime Minister's
18 Foreign Affairs adviser, by now, Nigel Sheinwald, who
19 was holding many meetings on that. Were you having
20 frequent contact with him and were you going to his
21 meetings?

22 MR JOHN BUCK: I was going to his meetings. We would
23 occasionally speak on the phone about a particular
24 issue.

25 SIR RODERIC LYNE: So you were being plugged in in that way?

1 MR JOHN BUCK: Yes, and I think -- my memory is perhaps not
2 as clear as it might be -- but I think during the
3 autumn, the Cabinet Office arrived at an arrangement
4 where Nigel and Desmond Bowen would alternate
5 chairmanship of that meeting. It would be Nigel one
6 week and Desmond the other week.

7 SIR RODERIC LYNE: You were plugged into that process?

8 MR JOHN BUCK: Yes.

9 SIR RODERIC LYNE: Coming back to Douglas Brand and
10 Stephen White, we had the impression that when they went
11 out to Iraq, one to Baghdad, Douglas Brand, and Stephen
12 White to Basra, they thought they would be working
13 together, at least coordinated within the same
14 operation. Stephen White told us that having been given
15 to understand that he would have operational command of
16 an international police force, when he actually got out
17 there, he became the CPA South director of law and order
18 with responsibility for the full panoply of justice,
19 including courts and prison system.

20 What was the understanding -- I suppose they went
21 out initially in your time, Stephen. What did the
22 Foreign Office think they were going out to do? Operate
23 in two separate spheres or be part of a joined-up
24 operation or what?

25 MR STEPHEN PATTISON: I don't think I can tell you that.

1 I haven't seen their terms of reference or their
2 appointment letters for them. So I would hesitate to
3 comment on that without having seen it.

4 SIR RODERIC LYNE: Your policing unit would have known that,
5 but it didn't come up to your level.

6 MR STEPHEN PATTISON: I don't know the answer to that
7 either, to be absolutely honest.

8 SIR RODERIC LYNE: You recruited them, sent them on, but
9 what was done with them when they got to the other
10 end -- in the way you were saying earlier, we were used
11 for recruiting people and passing them on to the UN.
12 Here we passed them on to the CPA and it was really up
13 to the CPA and them as to how they negotiated their
14 roles? We didn't have a clear idea?

15 MR STEPHEN PATTISON: I suspect not. I suspect they or we
16 would have had an idea of the roles they were getting
17 into. I find it hard to imagine they would have gone or
18 we would have let them go without some notion of what
19 they were going into, but I can't tell you exactly what
20 the correspondence between us and them would have said
21 in terms of describing that role.

22 SIR RODERIC LYNE: John, do you have any views on the
23 coherence or otherwise of our contributions to CPA
24 policing of Baghdad and down in the south?

25 MR JOHN BUCK: My impression from London was that there was

1 occasionally a bit of a disconnect and occasionally
2 a degree of tension.

3 For example, something I mentioned in my witness
4 statement was the CPA order that was issued, which was
5 the first step in the military taking over -- the
6 American military taking over responsibility for the
7 security sector reform completely, was the CPA order
8 that was issued at the end of November which arrived in
9 Basra, I think without any warning. That was probably
10 because Doug Brand himself had not had very much warning
11 of it.

12 So I think there wasn't always an entirely unified
13 sense of policing Iraq, but I think that was largely
14 a problem within the wider CPA, rather than a problem of
15 the relationship between the British police involved.

16 SIR RODERIC LYNE: Having perceived this disconnect, was
17 there anything you could do from London to help join it
18 up?

19 MR JOHN BUCK: Well, I mean, in a sense we, I think,
20 occasionally acted as the route of communication in that
21 something would come to us and we would relay it back to
22 one side or the other. I think over that particular
23 example, for example, I think the response from Basra
24 came to us and we then had to communicate it to Baghdad.
25 That was a function of -- some of the practical

1 difficulties of communication at the time.

2 SIR RODERIC LYNE: Thank you.

3 SIR JOHN CHILCOT: Martin, over to you.

4 SIR MARTIN GILBERT: You played a leading role in

5 encouraging international contributions for policing,

6 including through chairing the London October 2003

7 conference. In your statement you detail examples of

8 support provided by Jordanians, Danes, Germans, French.

9 Can I ask you, what are we able to do to minimise the

10 risk that the provision of support from multiple

11 countries with differing police and justice systems

12 would lead to a confused and fragmented security sector

13 in Iraq?

14 MR JOHN BUCK: Well, the answer to that was to have

15 a coherent training policy produced by the CPA on the

16 ground. I think the CPA, frankly, were reasonably

17 successful so far as I could see from London. In terms

18 of international contributions, we had had the Danes in

19 Basra for some time, for a few weeks before the British

20 police arrived, who were doing useful work training

21 Iraqi trainers.

22 The international contribution to the Jordan police

23 academy was, if I remember rightly, 20 Canadian, 10

24 Czech, 10 Polish and then smaller numbers from various

25 other people. I think that was knitted reasonably

1 effectively into a programme of training, but, you know,
2 Doug Brand would have a far better sense of whether that
3 was --

4 SIR MARTIN GILBERT: Was there anything you had to do from
5 the London end?

6 MR JOHN BUCK: Somebody in the unit certainly visited the
7 Jordan operation once it was up and running. It was
8 pretty rudimentary, I think, in terms of facilities, is
9 my recollection of his report, but I think the training
10 was reasonably coherent. The problem with the training
11 always was that there was not enough time.

12 SIR MARTIN GILBERT: Paul Kernaghan suggested to us, and
13 I quote:

14 "In an ideal world, one country should be allocated
15 responsibility for police reform in a country and
16 resourced to deliver a coherent structure in partnership
17 with the host country."

18 What is your view of that?

19 MR JOHN BUCK: In an ideal world, yes. Even in an ideal
20 world, I am not actually sure that's the best approach.
21 Seen from a purely operational point of view, I can see
22 that that would work, but what would happen almost
23 inevitably is you would get a duplication of the system
24 of whichever nation was contributing to -- was doing the
25 training. I think in a sense one of the virtues of what

1 we did in Iraq was that there wasn't one country
2 reproducing its own policing system and trying to make
3 it work in the circumstances of Iraq.

4 As I have said earlier, whether there was
5 a completely coherent picture of the type of police
6 force that was suitable for Iraq, whether that picture
7 existed or not, I'm not entirely sure, but, as I have
8 also said, to an extent that was something that really
9 the Iraqi government should have determined rather than
10 the international players.

11 SIR MARTIN GILBERT: Thank you.

12 SIR JOHN CHILCOT: Lawrence, over to you.

13 SIR LAWRENCE FREEDMAN: Yes. Just a couple of questions on
14 the training of police officers and how you measure
15 progress on that.

16 There seems potentially to be a trade-off between
17 quality and quantity, with the emphasis being put on the
18 numbers of Iraqis being trained as policemen. What
19 advice were you given on this sort of trade-off?

20 MR JOHN BUCK: I mean, I think there was a general -- Paul
21 Kernaghan's reports bring this out -- there is always
22 a trade-off between the short-term and the long-term.
23 I think the reality in Iraq was that we opted for the
24 short-term. I think there were a number of reasons for
25 that. Partly it was the consciousness that we simply

1 had to get police trained and operating on the ground to
2 contribute to the control of the security situation.
3 Partly it was pressure from the military, both the US
4 and the British military, who wanted to get away from
5 what they were doing to a great extent, which was law
6 and order duties.

7 I think it's difficult to overestimate the impact
8 that the November agreement, November 2003 agreement,
9 had on the timescale for exiting from Iraq. I think
10 there was a real re-focusing of attention. I think
11 after that happened, and then sort of after the turn of
12 the year, we were focusing far more on what we were
13 going to hand over to the Iraqis at the end of June 2003
14 than what conceivable shape the Iraqi police force would
15 be in in two, three, four years down the track.

16 As I think I mention in my witness statement, as
17 part of this process, there was a kind of low-level
18 on-running debate about the future of the ICDC, the Iraq
19 Civil Defence Corps, which then became the Iraq National
20 Guard, I think. You know, was this a nascent
21 gendarmerie that would be incorporated into the police,
22 or was this something that would end up more akin to
23 a national guard, a sort of branch of the military that
24 would be used for civilian control in extremis?

25 SIR LAWRENCE FREEDMAN: Just on the police themselves, we

1 have had evidence that they were getting sort of 30
2 days' training, and that this really wasn't realistic.
3 So you may have found something which wore the uniform
4 and claimed to be a police force, but in real terms,
5 were they police?

6 MR JOHN BUCK: Well, the training, as I recall, shifted.

7 I mean, it started off as 30 days. It then became three
8 weeks for existing members of the police force, the
9 transition and integration programme, and eight weeks
10 for new recruits. Now, nobody would say that, you know,
11 eight weeks as opposed to 30 days is going to make
12 a huge amount of difference, but it at least was
13 a recognition of the difficulty.

14 What I think was the case was that there was just so
15 much pressure on numbers. We started off -- I say we --
16 the CPA essentially started off with a target of raising
17 the numbers of the police force from 30,000 to 75,000.
18 When the military took full responsibility for the
19 security sector reform and particularly police training,
20 which was really in the spring when General Petraeus was
21 given responsibility, we had this remarkable situation
22 where the target was recruiting 30,000 policemen in 30
23 days. Well, in those circumstances, you know, the
24 training has to match the need, if you like, and, you
25 know it, would have been nice to have the luxury of what

1 I understand is the case in this country, where police
2 are trained for six months and they are then mentored
3 for a year or two years after, but that just wasn't the
4 situation we were facing in Iraq.

5 SIR LAWRENCE FREEDMAN: Might we see some of the subsequent
6 problems with policing stemming from the nature of this
7 sort of recruitment and very limited training?

8 MR JOHN BUCK: I am sure that's the case. I think also,
9 there is an interesting question about the contrast
10 between the police and the Iraqi army. The Iraqi army
11 melted away and was recreated from scratch. Now, there
12 may have been a lot of re-recruitment that wasn't
13 acknowledged. I don't know. With the police, the CPA
14 called 30,000 police back and therefore was building on
15 an existing but very low level, unprofessional service.

16 I am not really that close to Iraq now, but people
17 tell me that if you look at those two forces, the Iraqi
18 armed forces are far more effective than the police.
19 Had the decision been taken with the police that we
20 should start from scratch, maybe we would be, you know,
21 in a better position now. I think it is one of those
22 impossible questions to answer, but it would have been
23 very difficult at the time, particularly -- you know,
24 you can argue it both ways.

25 People say de-Ba'athification was a tremendous

1 mistake. In some ways it was, but, as I say, now, six,
2 seven, eight years down the track, actually the
3 organisation that was most effectively de-Ba'athified is
4 actually probably a better organisation than the one
5 that was built on what was there at the time.

6 SIR LAWRENCE FREEDMAN: Yes. I just want to ask a couple of
7 questions to conclude. I think just for the record, you
8 said before June 2003 in terms of the target; I think
9 you meant 2004.

10 MR JOHN BUCK: Sorry. June 2004. Yes.

11 SIR LAWRENCE FREEDMAN: There is a tension developing also
12 at this time between the need to address the growing
13 counter-insurgency and the need to develop the Iraqi
14 Police's wider criminal justice capacity. Did you sense
15 this as also an important tension in how to take it
16 forward?

17 MR JOHN BUCK: I don't think there was a tension. I think
18 these were happening on parallel tracks, if you like.
19 I don't think there was a tension. There was a lot of
20 discussion, an immense amount of discussion for us, the
21 UK, about the extent to which we could contribute in the
22 development of the Iraqi court system, and particularly
23 the special tribunal, because of the whole question of
24 the death penalty and whether we would be exposed to
25 consequences under the European Convention on Human

1 Rights. I remember a huge amount of discussion. It was
2 probably that and detainees from -- certainly for most
3 of the period in 2004 when I was involved, for the first
4 two months of 2004, those were probably the issues that
5 took up more ministerial discussion in the Ad Hoc
6 Committee than any other.

7 SIR LAWRENCE FREEDMAN: What about while those discussions
8 were going on, what discussions were you having with
9 Iraqis in this period?

10 MR JOHN BUCK: Well, most of the discussions with the Iraqis
11 naturally were happening on the ground, but we had
12 a whole series of visits to London, and usually people
13 would have a meeting with the Secretary of State, and
14 then John Sawers and I would either have separate
15 meetings or a meeting together with members of the
16 Governing Council of Ministers and so forth.

17 The difficulty was that each member of the governing
18 Council had a different view. I remember one set of
19 visitors, I think there were three members of the
20 Governing Council coming at some stage in the autumn and
21 saying, "Look, you really need to get on with this
22 because otherwise the militias are going to take
23 control", and then another set of people coming a month
24 later saying, "You really need to work with the militias
25 and incorporate them into this system". I don't think

1 there was ever a consistent Governing Council view about
2 how this particular issue or the wider question of
3 building up security forces was to be addressed.

4 SIR LAWRENCE FREEDMAN: Thank you very much.

5 SIR JOHN CHILCOT: Right, Martin, over to you.

6 SIR MARTIN GILBERT: You say in your statement that the
7 military influence over the implementation of policing
8 strategy grew as time went on. You explain in the
9 statement that a fragmentary order for military units to
10 assume a greater role in accelerated police training
11 programme was issued, as you say, unexpectedly without
12 warning at the end of October 2003.

13 As joint occupying power with the United States, did
14 you expect prior consultation on this?

15 MR JOHN BUCK: Well, I certainly would have expected prior
16 consultation, yes. I mean, my hesitation is because I
17 am not sure whether there was some prior consultation
18 amongst -- I am pretty sure there wasn't actually -- the
19 British -- UK military in Baghdad. This was not
20 something -- I mean, it came out of the -- it did --
21 I mean, it came out of the blue. To an extent it was
22 a recognition of reality in that some of the training
23 was being done by the military. Certainly the mentoring
24 so far as we were concerned was being done by a mixture
25 of the RMPs and the MoD police, if my recollection is

1 correct, in Basra, and I think our view in London at the
2 time was: well, actually if this means we get the full
3 force of US military resources devoted to this effort,
4 then, frankly, so much the better.

5 So I don't think in terms of its impact on us, we
6 were sort of knocked back. If anything, we saw it as
7 potentially a positive recognition of the importance of
8 policing that more resources would be brought to bear on
9 that.

10 SIR MARTIN GILBERT: Did you have consultations with your US
11 counterparts about the implementation, about the
12 implications?

13 MR JOHN BUCK: No, I don't think so. My main -- the people
14 in the unit were in touch with the State Department. My
15 main contact was the meetings with the wider coalition
16 partners which I co-chaired with my MoD opposite number,
17 and we had meetings in the margin of that, but the
18 difficulty with the order was once it had transferred to
19 the military, then actually consulting the State
20 Department about how this was going to be applied was
21 a pretty academic exercise, actually, partly because of
22 the relationship between the State Department and DOD in
23 the US, but also because in reality the implementation
24 was very much, I think, left to US forces on the ground.

25 SIR MARTIN GILBERT: You mention in your statement that the

1 order caused, I think, you say some consternation in
2 Basra.

3 MR JOHN BUCK: Yes.

4 SIR MARTIN GILBERT: Can you expand on this.

5 MR JOHN BUCK: Because it came out of the blue and because
6 it was unexpected, and because there were potential
7 implications for whatever they were already doing, and
8 in particular for what the Danish trainers were doing.
9 I think that was probably -- there was a degree of sort
10 of collective misunderstanding probably about the
11 implications of this. I mean, I can't remember the
12 wording of the order, but it may have given the
13 implication that anybody doing training was to stop and
14 the military was to take over. So there was a degree of
15 consternation. That was clearly not the case.

16 Actually so far as our effort was concerned, I don't
17 actually think it made very much difference in that the
18 trainers duly arrived in Az Zubayr on time, that the
19 training in Jordan continued to be done by a mixture of
20 international police and DynCorp contractors who were
21 ex-policemen. I think there was more of a military
22 component possibly in the Baghdad police academy because
23 of security reasons, although by the end of my time we
24 had, if my recollection is correct, about 12 people in
25 Baghdad, partly training and partly supporting Doug

1 Brand.

2 SIR MARTIN GILBERT: You also said that the order was
3 a forerunner of the US and CPA transfer of
4 responsibility of policing from the civilian to the
5 military structures in the spring of 2004. What impact
6 did that have on our approach to policing?

7 MR JOHN BUCK: I think when I wrote that, my recollection
8 may have been less clear than it is now. I think the
9 transfer of military -- from civilian to military
10 effectively took place at the end of 2003 with that
11 order. Certainly the responsibility for training was
12 transferred then. I think what happened in the spring
13 was a consolidation of those new arrangements. Then we
14 had the creation of CPATT, which was an organisation
15 particularly focused on the police under military
16 command and was a mirror image of CMATT. I am afraid
17 I can't remember what these acronyms stand for now, but
18 CMATT was responsible for the security sector reform on
19 the military side, and CPATT became responsible for all
20 the security sector reform issues on the police side.

21 SIR MARTIN GILBERT: What were the overall consequences?

22 MR JOHN BUCK: I find it at this distance quite difficult
23 to answer that question. As I say, so far as our own
24 contributions were concerned, I don't think very much.
25 There was a lot of anxiety at the time about the

1 implications for Doug Brand's position, and whether this
2 meant in effect that his job was going to come to
3 an end, and that the military were simply going to step
4 in and do all this stuff that Doug had been doing. That
5 didn't happen and I think it didn't happen because there
6 was a degree of lobbying by us, not in Washington actually,
7 but within the CPA. I think Jeremy Greenstock and his
8 team backed up Doug in saying, "Look, don't lose this
9 expertise. You have this guy. He is doing a great job
10 and he should continue doing it". The US, as I recall,
11 were pretty happy with that arrangement.

12 SIR MARTIN GILBERT: Thank you very much.

13 SIR JOHN CHILCOT: I am afraid I need to try your memory
14 a little bit more about this transition. Was there
15 an inherent tension? Policing and justice were CPA
16 responsibilities. The CPA ceases to be in June 2004,
17 but security is essentially a military responsibility
18 for which the coalition retained responsibility after
19 June. So where does policing fit? You reminded us
20 about the CPATT proposition in the transition, which
21 I think was eventually folded into the military
22 equivalent, into CMATT, but was there a lot of
23 discussion, either in Whitehall or with the Americans,
24 or indeed as far as you are aware in Iraq itself, about
25 how you manage the policing and justice agenda without

1 having it driven by military concepts, have its
2 approach.

3 MR JOHN BUCK: Well, I think the justice agenda continued as
4 it was, actually. I mean, I don't think there was very
5 much change. I mean, I think it's important to see this
6 in the context of what was happening in the spring.
7 I mean, the transition had happened to a great extent in
8 2004. In the spring, April, May, we had in succession
9 the Muqtada al-Sadr uprising, the events in Fallujah,
10 and a general sense that we were facing strategic
11 failure, actually. We did begin to think in those
12 terms.

13 So that really took absolute priority over
14 everything at the time, and I think the transition to --
15 the full transition to military control of all this and
16 the full consolidation of it fitted in with that
17 picture. It seemed to fit in actually pretty well. We
18 were facing a situation to which policing was not the
19 answer. We were facing a situation to which -- we were
20 facing an armed insurgency, but in terms of the wider
21 impact on our efforts in the justice system and criminal
22 justice system and human rights and so forth, I think
23 that continued as it was, and so far as I can recall on
24 the American side, it also continued as it was. You
25 know, there was a lot of effort being devoted to it.

1 SIR JOHN CHILCOT: We have had some evidence from Chief
2 Superintendent Richard Barton who was essentially in the
3 south-east in Basra. He, in his written statement to
4 this Inquiry, described policing then and there in the
5 south-east at the time of transition as "falling between
6 two stools. It was ostensibly an activity on the ground
7 which was neither military nor civilian in its approach."
8 That was his judgment. We had a lot of military
9 evidence, evidence from military witnesses, who in
10 effect argued that it was wrong to use military people
11 for police training, because their cultures and
12 doctrines are so different.

13 Did you perceive this to be a problem that needed
14 resolution, or was it simply an inevitability? The
15 resources lay with the military.

16 MR JOHN BUCK: No. I mean, clearly, police training should
17 be done by policemen. That goes without saying. What
18 happened was that to a great extent, it continued to be
19 done by policemen. It was still done by police in the
20 south, in Az Zubayr, and it was done mainly by policemen
21 with the help of -- including DynCorp contractors in
22 Jordan. I think there had always been -- I have to
23 confess on this point, my memory is rather hazy, but
24 I think there had always been a significant military
25 input into the training in Baghdad, simply because of

1 all the security difficulties, but in all honesty, I may
2 not be right about that.

3 SIR JOHN CHILCOT: I have one question for Stephen Pattison
4 on this front. The Americans had amalgamated in the
5 OSC, the Office of Security Coordination, the military
6 and civilian sides of policing, in Rumsfeld's time. We
7 transferred responsibility for the lead for policing
8 from the FCO to the MoD. We touched on this, I think,
9 briefly this morning. Am I right to recall that you
10 felt that had no significant impact on the actual
11 delivery of police training and reform.

12 MR STEPHEN PATTISON: I don't think it did. I think there
13 are issues around the question of who does the training,
14 and I think, in response to the question asked earlier
15 about Paul Kernaghan's comments about it is better for
16 one country to deal with the training, in an ideal
17 world, that partly depends on what the country is that
18 is doing the training. If it is a country whose police
19 don't have a very good record of human rights protection
20 themselves, you are better off with them not doing the
21 training.

22 So the point about whether the military are closely
23 involved in it or not is less relevant than the question
24 of what sort of training is actually being delivered.
25 So I am not going to say any military could have done as

1 good a job as any civilian police trainer. That's
2 obviously not the case, but I think as a general
3 principle, it wouldn't matter whether it was
4 military-based or civilian-based training.

5 SIR JOHN CHILCOT: Thank you. One last point on this. You
6 have, John Buck, I think explicitly, and perhaps by
7 implication, there is a gigantic issue of scale, scale
8 of the problem, as relative to the resources available
9 certainly to the UK to confront it, and overcome it,
10 including in the policing sphere.

11 To that extent, did the transfer of lead
12 responsibility from FCO to MoD have an implication,
13 given the much larger side of the Ministry of Defence
14 and its services?

15 MR JOHN BUCK: I think the hope was that it would
16 result in more resources being made available for
17 policing. That is true. I would have to go back now
18 and tell you for sure whether that ended up being the
19 case, but that was certainly the hope.

20 SIR JOHN CHILCOT: Rod, back to you.

21 SIR RODERIC LYNE: Just one quick question for Stephen
22 Pattison. In January 2005, you -- having returned to the
23 Foreign Office as Director for International Security,
24 you gave evidence to the House of Commons Defence
25 Committee on the subject of policing Iraq along with

1 Paul Kernaghan and others, and you mentioned in that
2 that there had been established a strategic task force
3 on civilian policing. That was something the Foreign
4 Secretary had just announced. You said it was likely
5 you would be responsible for chairing this.

6 Can you just rather briefly encapsulate for us what
7 the purpose was of the strategic task force, what it
8 achieved and what impact it had on the question of
9 policing in Iraq?

10 MR STEPHEN PATTISON: Well, I alluded to it earlier when
11 I said that Paul Kernaghan and I had jointly chaired
12 this Strategy Group. This was precisely the group. It
13 was clear in 2005 that obviously our provision of
14 policing for Iraq and other places was not as good as it
15 might be. We had a number of generic problems with
16 policing. Some I have alluded to. Because policing was
17 voluntary, we had to get the cooperation of Chief
18 Constables. We needed Chief Constables to give
19 an assurance that British police who volunteered for
20 overseas missions would not find their careers somehow
21 impeded by having been out of the UK scene for a while.
22 We needed to do nuts and bolts stuff like an assurance
23 that their terms and conditions would be appropriate,
24 that they wouldn't lose out in promotion prospects, that
25 even there would be police medals.

1 There were a number of ideas that we wanted to
2 establish common ground on between us in the Foreign
3 Office and ACPO and key representatives of the
4 constabularies that helped us. So we had several
5 meetings on this and we thrashed out an action plan
6 designed to deal with precisely with these things. The
7 output of the session I think was a significant step
8 forward in getting recognition from senior British
9 police officers that we did need to do this differently.

10 Now, I cannot tell you that it made a huge
11 difference to the number of policemen that we had coming
12 from the UK to Iraq, because the circumstances in Iraq
13 remained unsettled, difficult, and it remained very
14 difficult to persuade people to volunteer to go and do
15 it, but what we had achieved was something that hadn't
16 been wholly focused on Iraq but had been focused on
17 trying to improve the delivery of police for operations
18 worldwide. I think as a strategy, as a structure for
19 resolving some of the problems, it was a successful task
20 force.

21 SIR RODERIC LYNE: The task force therefore ended. It was
22 just specifically for a project, but the processes you
23 set up continue, so far as you know -- I know you have
24 left the Foreign Office now -- they continued
25 thereafter?

1 MR STEPHEN PATTISON: I would hope so.

2 SIR RODERIC LYNE: You would hope so. Thank you.

3 SIR JOHN CHILCOT: Turning, if I may, to John Buck, you

4 highlighted in your helpful statement some useful

5 lessons, particularly about the future expeditionary

6 police capacity, and you suggest that there needs to be

7 a planning assumption that military police will be

8 needed for the initial phase, the security sector reform

9 duties post a conflict. That, presumably, because they

10 have military training and are equipped to carry arms

11 and all of that. Then there needs to be a follow-up

12 civilian expeditionary capability, presumably after

13 stabilisation has reached a particular point.

14 You flag the potential for the Stabilisation Unit to

15 act as the organiser of such a capability. Would you

16 like to say just a little bit more about the

17 practicalities, looking to the future, not to Iraq in

18 the past?

19 MR JOHN BUCK: I mean, I think -- my thinking on this has

20 moved on, I think, having had two bites of the cherry,

21 as it were. There is a wider question about the

22 Stabilisation Unit. The more I think about it, I am

23 just not convinced that generally the Stabilisation

24 Unit, if it had been in existence, would have made very

25 much difference about our response to Iraq.

1 There are far wider questions about our capability
2 and capacity to undertake something like that to do with
3 the organisation of government and, you know, the
4 expectations of policymakers.

5 If I were organising this whole policing enterprise
6 again, I would not have the Foreign Office take the
7 lead. I think it was absolutely right to transfer the
8 lead to the MoD, although that happened some way down
9 the track, because security sector reform in terms of
10 law and order has to be seen as a whole, and
11 I appreciate that you sacrifice to a certain extent the
12 linkage between police and the criminal justice system,
13 but I think in the circumstances we were facing in Iraq,
14 it was far more important and should have been far more
15 important to ensure that law and order was approached as
16 a holistic whole.

17 As part of that, I would have the executive line of
18 authority back to the MoD, but also have policemen in
19 PJHQ. I would have senior policemen in PGHQ responsible
20 for, with the military, planning for security sector
21 reform after any intervention and I would have senior
22 policemen seconded to the MoD who could work with
23 officials and the military on more general policy
24 planning for security sector reform.

25 I think that's how I would do it. Whether that's

1 feasible or not, I don't know.

2 SIR JOHN CHILCOT: That is extremely interesting. One
3 follow-up question, if I may, from what you have just
4 said: does that include a sense that there needs to be
5 a transition from an initial phase post-conflict where
6 policing is very much a military-related, military-run
7 activity to a later phase when you are trying to
8 establish or re-establish a complete rule of law system.

9 MR JOHN BUCK: Yes.

10 SIR JOHN CHILCOT: Where it changes its nature. Does that
11 then change the policy lead responsibility back in
12 Whitehall, insofar as we have responsibility?

13 MR JOHN BUCK: I mean, I think it depends very much on what
14 happens on the ground in a sense. I think -- Stephen
15 will have been involved in situations where it wasn't
16 the case that you needed an immediate military response
17 to law and order. In somewhere like Iraq, we clearly
18 did, although nobody was really expecting that, I think.
19 We arrived at a similar position almost willy-nilly in
20 that, faute de mieux, the RMPs and the MoD police took
21 responsibility for helping the Iraqi military police in
22 the immediate post-war period.

23 If there is a point at which you transition, and
24 there surely must be, into fully civilian support, then,
25 yes, the MoD would no longer be the logical lead

1 department. But in my view, neither would the Foreign
2 Office. It would actually, if anybody, be the Home
3 Office who would be the logical --

4 SIR JOHN CHILCOT: Or DFID.

5 MR JOHN BUCK: Or DFID, yes.

6 SIR JOHN CHILCOT: Last point then. I am going to invite
7 Stephen Pattison for a final comment on this particular
8 theme if you'd like to, but before I do, still with
9 John Buck, Paul Kernaghan in his statement to us, in his
10 conclusion, expressed the view that HMG's police
11 assistance effort in Iraq could be described as small,
12 unambitious and lacking in strategic impact. Is that
13 broad judgment, given the comments you have both made
14 about scale of the problem in Iraq as it was seen and
15 experienced to be, do you think that's a fair comment?

16 MR JOHN BUCK: I think there's a large kernel of truth in
17 that, but I think it would be wrong to underestimate the
18 impact that those policemen who were in Iraq actually
19 had. I think there was a strategic impact, and I think
20 a lot of the credit for that goes to the people who were
21 successively doing the job on the ground. I think, you
22 know, they did a great job. We shouldn't underestimate
23 that.

24 In terms of the scale of the problem, I mean,
25 absolutely clearly what we were and the international

1 community more generally were trying to do was of
2 a completely different order to the scale of resources
3 we were willing to devote to that. That doesn't just
4 apply to the UK. That equally applies to other
5 countries and even the US. The US after all -- I mean,
6 massive amount of financial resources, you know,
7 \$1 billion to the police in that year, but in terms of
8 the numbers of policemen, not huge. I don't know how
9 many DynCorp policemen were eventually deployed as
10 mentors. We had -- this is something we have not talked
11 about -- but we also ended up with contracted armed
12 group ex-policemen in the south.

13 All those together, I don't know whether they
14 amounted to more than 1,000 people, training in Jordan,
15 mentoring in the north, mentoring in the centre,
16 mentoring in the south, training in the south, training
17 in Baghdad. I just don't know. I think it is
18 undoubtedly the case -- in a sense Bernie Kerik was
19 right. We needed 5,700. He was probably
20 under-estimating it, but where were they going to come
21 from?

22 SIR JOHN CHILCOT: Stephen Pattison, do you want to comment
23 briefly?

24 MR STEPHEN PATTISON: I actually have a couple of comments
25 on what you have just discussed. One is about the

1 balance, if you like, between civilian and military
2 influences in policing. I am going to say I think this
3 is a peculiarly British problem in some ways, because if
4 we had a police force that was an armed gendarmerie, as
5 is the case in most countries in the world, I don't think
6 we would feel this tension between civilian and military
7 quite so starkly. Certainly as I looked at what sort of
8 police we needed to provide for missions in a lot of
9 countries in the world, most of them needed
10 a gendarmerie, a pretty tough gendarmerie, to be honest.
11 In that case, given that background, asking the UK to do
12 this is probably the last country you should ever ask.

13 Having said that -- I can see exactly where Paul
14 Kernaghan is coming from. Certainly our effort was
15 small. I don't think it was unambitious. I think we
16 set ourselves pretty high ambitions of what we were
17 going to try to do with this small number of forces, and
18 we right from the start recognised that if we focused on
19 a niche, on decent training and so on, we might, if you
20 like, pack more of a punch than the numbers actually
21 told. That was certainly our ambitious aim right at the
22 beginning.

23 A quick word on stabilisation. I was involved in
24 setting up the Post-Conflict -- it was originally called
25 the Post-Conflict Reconstruction Unit in Whitehall in

1 2004. First of all, I should say I think it was a bit
2 of a case of shutting the door after the horse had
3 bolted, but ideally if you had a good stabilisation
4 unit, some of the issues which I think went wrong over
5 post-conflict planning in Iraq would have been avoided.
6 If you had a unit that was a repository of expertise, of
7 experts, of deployable people with all the training and
8 so and so already pre-arranged, I think one might have
9 done these things better.

10 SIR JOHN CHILCOT: Thank you. I will turn the questions
11 over to Sir Martin Gilbert.

12 SIR MARTIN GILBERT: Perhaps I could follow up for a moment
13 on this whole question of the Post-Conflict
14 Reconstruction Unit as it then was. What role did the
15 FCO want the unit to play?

16 MR STEPHEN PATTISON: Well, when the unit was set up, the
17 aim was that the unit should be what I have just said
18 really, should be a repository of expertise, either
19 within the unit itself or accessible expertise from
20 elsewhere about a whole range of post-conflict issues.
21 Policing was one. Security sector reform was another.
22 Lots, you can imagine. Justice sector reform, economic
23 infrastructure reform and so on.

24 It had a slightly schizophrenic remit from the
25 start, because no-one was absolutely convinced whether

1 it was being set up to do more for Iraq and Afghanistan,
2 which were our main concerns at the time, or whether it
3 was being set up to put something in place for
4 a theoretical occasion when something like this might be
5 needed again. It never quite in my view resolved the
6 tension between those things.

7 The Foreign Office and the MoD were very keen to get
8 it to focus on Iraq and Afghanistan as much as it could.
9 I think it is true to say that DFID took a view that, if
10 I can -- I shouldn't paraphrase them, but if we were
11 going to do Iraq and Afghanistan, we wouldn't have
12 started from here and the Stabilisation Unit should be
13 looking, if you like, in more general abstract terms at
14 what it might do next.

15 That turned out to be an academic question, because
16 the members of the unit were constantly saying to me,
17 "What countries do you think we should be looking at
18 next?" I said, "There are no countries next. Insofar
19 as you are able to work out a generic plan, that's what
20 we should be trying to build an expertise in".

21 As I say, at the same time we were constantly
22 pressing them to try to do a bit more in Iraq and
23 Afghanistan. I am not sure that tension was ever
24 resolved, certainly in my time dealing with them.

25 SIR MARTIN GILBERT: With regard to Iraq, did it meet the

1 expectations placed on it?

2 MR STEPHEN PATTISON: My recollection is not, to be
3 absolutely honest, but I'd have to go back and see
4 precisely what we were demanding of it and what it
5 provided. I don't think it did.

6 SIR MARTIN GILBERT: Mr Buck, I'd like to quote from your
7 statement where you say in rather a fully argued
8 section:

9 "The fact is that the British Government is not,
10 cannot be set up to occupy other countries."

11 Would you like to explain why you think this and
12 what lessons, if any, you feel we as an Inquiry could
13 take away from this?

14 MR JOHN BUCK: Well, perhaps I could answer the second part
15 first. I mean, it is almost so unoriginal as not to be
16 worth saying, but, you know, the lesson I learned from
17 Iraq is: don't occupy other countries unless it is
18 absolutely essential and there is no alternative for
19 protecting your national security. If you do occupy
20 another country, think very, very carefully about the
21 consequences beforehand; plan for the worst case
22 scenario, the very worst case scenario, and have the
23 resources in place. I don't think any of those
24 conditions were met in this particular case.

25 But it does seem to me beyond that, there is a wider

1 question about expecting a government machine which does
2 not run other countries to suddenly step in and start
3 running another country. Had something like this
4 happened 50 or 60 years ago, we would have had
5 a Colonial Office where you would have had people who
6 were used to administering other countries, were used to
7 working with the local police to build up capacity and
8 all these things.

9 I just don't think, unless you are going to have
10 a situation where occupying other countries is a kind of
11 routine matter for the British Government, and
12 I fervently hope we never get to that point, I just
13 don't think the British Government can be set up to
14 occupy other countries. It just doesn't have the
15 expertise. Even in police, I mean, fantastic work being
16 done by the police on the ground, but these were
17 policemen who were used to a great extent, they built up
18 some expertise, some of them, overseas, but these were
19 people who were going from one moment from policing
20 Winchester to working with Iraqi Police in Iraq.

21 What's remarkable to me is that despite all the
22 problems, so much was accomplished in that year, not
23 just on policing, but by everybody who went to Iraq.
24 A tremendous effort, but it was reliant on the goodwill
25 of those individuals who were willing to go and that's

1 not the way to run an enterprise like this. If you are
2 going to get into an enterprise like this, you have to
3 have a government system that's set up to run it
4 properly.

5 SIR MARTIN GILBERT: Mr Pattison, I have just one last
6 question. We discussed earlier the Global Conflict
7 Prevention Pools. I just have a question. We have had
8 evidence from witnesses, including Sir Nicholas
9 Macpherson of the Treasury and Sir Mark Lyall-Grant that
10 the pools did not prove an effective mechanism for
11 resourcing HMG's efforts in Iraq. Is this your view and
12 if so, why not?

13 MR STEPHEN PATTISON: It is certainly my view. Why not?
14 Essentially there was not enough money in the pools to
15 start with. As I say, by -- by 2007, the global
16 conflict prevention pool had in it £80 million.
17 £80 million to do all the things I listed earlier, Iraq,
18 Afghanistan, various other programmatic strategies and
19 so on, did not go a very long way. I think that was it.
20 There is a question over whether the pools could have
21 been run more effectively, and they were -- they did
22 have quite tight terms of reference, and there was
23 a system in place that made them, if you like, quite
24 bureaucratic in terms of monitoring expenditure. They
25 were not a source of readily available funding like

1 that, but we tried to work within that. I think we could
2 have overcome some of those bureaucratic problems, but
3 fundamentally the resources were totally inadequate to
4 match the task.

5 SIR MARTIN GILBERT: Thank you.

6 SIR JOHN CHILCOT: Right. I have one question for John Buck
7 in a rather different sphere, though still related to
8 Iraq. You mention in your statement before becoming
9 Director of Iraq, you were head of the CIC, the
10 government Communication Information Centre in the
11 period immediately before and just after the invasion,
12 and you also had a brief spell in Baghdad itself
13 afterwards. The Prime Minister himself placed a lot of
14 emphasis on the communications dimension. How
15 effectively do you think Whitehall was organised to
16 deliver that, both at home and indeed in Iraq itself?

17 MR JOHN BUCK: The CIC, I think, actually worked pretty
18 well. It worked well because we drew on expertise
19 from a number of different departments, and indeed from
20 a number of different countries, so that the
21 communication that ministers were undertaking was
22 coherent, joined up, and also joined up with our major
23 allies, particularly the US.

24 So I think the CIC actually in that period,
25 although, as everybody knows, there had previously been

1 one or two problems, but in that period I think it
2 actually worked very well.

3 The important thing was to wind it down as soon as
4 possible afterwards, because its purpose had largely
5 been achieved. We did that, and people deployed to
6 Baghdad. The communications operation in Baghdad was
7 far less effective, and that's absolutely no criticism
8 of the people we had deployed there, who were
9 exceptionally good, I think, but when I arrived -- and
10 I think this would have been at the end of May -- there
11 was no coherent communications operation. The US Army
12 were doing one thing. The British Army were doing
13 another. The CPA were doing another.

14 My task largely focused on actually bringing these
15 people together into one unit. I am not sure I ever
16 succeeded in bringing everybody into one unit, but, you
17 know, by the time I left there was the embryo of the
18 single CPA operation. Then linking that with genuine
19 knowledge, because a lot of them were working in the
20 dark at the time, genuine knowledge of what was agreed
21 CPA policy, what was happening in different areas and so
22 forth. So in the great American phrase, these people
23 were no longer stove-piped.

24 I should hasten to add I was working very closely
25 with a military colleague who was just fantastic. We

1 drew up an outline strategy, trying to foresee how the
2 communications operation would evolve and how messages
3 needed to evolve with that over time and the sort of
4 audiences and so forth.

5 That was the position when I left, far from perfect,
6 but there was an embryo of an effective organisation
7 there. I think for various reasons, that system then
8 essentially fell apart. The numbers grew, but the
9 effectiveness, and partly because of that, declined.

10 SIR JOHN CHILCOT: You still had some visibility of it as
11 Director of Iraq.

12 MR JOHN BUCK: We did and it was something we agonised over
13 a lot, but it was never something that we had a great
14 deal of control over, and I think part of the problem
15 was that over time during the autumn, the focus of the
16 US became very much the Presidential elections. So the
17 whole focus of the media operation became far more
18 domestic in the sense of, you know, relaying back to the
19 US what was happening than actually communicating with
20 the Iraqi people.

21 There are all sorts of difficulties associated
22 anyway with communicating to the Iraqi people, I think.

23 A huge proliferation of newspapers and --

24 SIR JOHN CHILCOT: We have heard evidence about the 1,000
25 flowers.

1 MR JOHN BUCK: It was extraordinary really. You suddenly
2 realised just how much under the surface there is that
3 springs up so suddenly.

4 SIR JOHN CHILCOT: Thank you. We would have liked to pursue
5 it but time is against us. I will turn, if I may, to
6 Baroness Prashar for our last themed question.

7 BARONESS USHA PRASHAR: A couple of questions for Mr Buck on
8 the relationship between the United Nations and the CPA,
9 because the Security Council Resolution 1483 encouraged
10 the United Kingdom and the United States to inform the
11 United Nations Security Council at regular intervals.

12 MR JOHN BUCK: Sorry. I missed that, just the end of the
13 sentence.

14 BARONESS USHA PRASHAR: They wanted the United Nations
15 Security Council to be kept informed at regular
16 intervals. David Richmond said to us that he was sure
17 that that took place, but assumed that that was done
18 between London and New York. I just wanted to know
19 whether you were involved in the process of reporting to
20 the Security Council?

21 MR JOHN BUCK: It is an interesting question. It is not
22 something I have revised. New York were copied in on
23 every significant telegram going backwards and forwards
24 from Baghdad. I am trying to think of occasions -- I am
25 sure there were occasions when we formally informed the

1 Security Council of the position. Certainly there were
2 regular renewals of the UNMOVIC mandate, which was
3 an opportunity to do that, I think.

4 I mean, it is not something I remember being
5 a significant issue at the time. I think it would have
6 been regarded actually as a fairly routine activity, but
7 people best placed to answer that would be the people
8 who were in New York at the time, I think.

9 BARONESS USHA PRASHAR: You were keeping New York informed
10 through regular correspondence. Is that what you are
11 really saying? They were copied into everything?

12 MR JOHN BUCK: Yes. Just as a matter of standard practice,
13 something of this significance with so many potential UN
14 implications, yes. UKM is New York would have been
15 a standard copy addressee of the telegraphic -- the
16 significant telegraphic traffic that was going backwards
17 and forwards.

18 BARONESS USHA PRASHAR: Then you thought the New York office
19 would keep the Security Council informed as necessary?

20 MR JOHN BUCK: Yes. As I say, I can't remember specific
21 occasions when there were sort of formal reports to the
22 Security Council, but that doesn't mean they don't
23 exist. I mean, it's something that, you know, could
24 well have been lost in the huge amount of work that was
25 going, I mean lost to me in the sense of visibility, but

1 I am sure it was happening.

2 BARONESS USHA PRASHAR: One last question. After the sad
3 loss of Sergio de Mello, what discussions did you have
4 at the US and the United Nations about how the joint
5 occupying powers and the United Nations could continue
6 to work together to meet our responsibilities under the
7 Resolution 1483?

8 MR JOHN BUCK: Well, this happened some time before
9 I started the job, so I wouldn't have been involved in
10 the immediate post Sergio de Mello event. I mean,
11 undoubtedly, that changed everything. You can't
12 overestimate the degree to which that changed the
13 situation we were in. You know, as a small example of
14 policing, for example, where normally we would have been
15 looking to the UN to coordinate this activity, it
16 immediately became clear that the UN weren't going to
17 play this role.

18 I think, you know, frankly, the UN were traumatised,
19 and to all intents and purposes were out of the picture
20 until -- am I right in thinking this was the spring --
21 I think a bit earlier in the spring, and Brahimi's
22 appointment as the UN representative on the
23 reconstruction side. I recall it being something of
24 a struggle, although we did succeed in the end -- by we,
25 I mean we and the US -- in getting the UN to play

1 a leading role in the preparation for elections.

2 Then post the handover, I think there was a far
3 greater UN role, but it is undoubtedly the case that
4 certainly in the months after Sergio de Mello's death,
5 you know, that was a real tragedy and not just in
6 personal terms, but it was a political tragedy. The UN
7 were not really involved very much at all during the
8 immediate period.

9 BARONESS USHA PRASHAR: So CPA were not really having any
10 interactions with the United Nations office, between
11 then until Brahimi arrived?

12 MR JOHN BUCK: I think as time wore on Jeremy Greenstock
13 certainly went to New York on one occasion and that was
14 very much to try to generate greater UN involvement.
15 I can't remember exactly when that was, but I think it
16 would have been after the turn of the year, but, I mean,
17 I just hope I am accurate on this. I am trying to think
18 whether there were occasions, but I think the UN was
19 very much out of the picture during the rest of 2003.

20 BARONESS USHA PRASHAR: Your recollection is that at least
21 from the UK side, we were trying to keep the United
22 Nations involved?

23 MR JOHN BUCK: We certainly would have been keeping them
24 informed. Yes, we always wanted as much UN involvement
25 as possible, but the reality of the situation were such

1 that for a long time, that just wasn't possible, and it
2 was only with the greater UN involvement in the spring
3 in early -- I can't remember when Brahimi --
4 BARONESS USHA PRASHAR: I think it was early 2004.
5 MR JOHN BUCK: Early 2004 when Brahimi was appointed and
6 then the UN became involved in the preparation for
7 elections in particular. Then I think after that, it
8 gradually built up again. But, no, there was a period
9 when the UN were not closely involved at all.
10 BARONESS USHA PRASHAR: Thank you.
11 SIR JOHN CHILCOT: I think we have come close to the end of
12 this session, and I'd like to offer both of you
13 an opportunity for any final reflections.
14 Stephen Pattison had a go before lunchtime. So I
15 will start with you so as to give John Buck the last
16 word. Do you have anything?
17 MR STEPHEN PATTISON: I don't think I have anything to add.
18 SIR JOHN CHILCOT: You did teasingly mention a little
19 earlier this afternoon you thought the PCRU, the
20 Stabilisation Unit, might not have come up to
21 expectations or might not in the future. You might give
22 us a sentence on why that might be.
23 MR STEPHEN PATTISON: It probably takes more than
24 a sentence. If it is in a sentence, I think once again
25 the PCRU is pulled in different directions by different

1 parts of Whitehall. That would be the sentence. DFID --
2 and it is perfectly understandable, because different
3 departments put their own money into it and they put
4 their own projects into it, so inevitably they are going
5 to have slightly different agendas. The Stabilisation
6 Unit, certainly when I left it three years ago, was
7 sitting very firmly under a DFID umbrella, and DFID were,
8 to that extent, much more influential than the Foreign
9 Office and the Ministry of Defence were in determining
10 its agenda and its mode of operation. I think that
11 means its focus is going to be very much more on
12 stabilising fragile states than providing an emergency
13 service for when states collapse or when there is
14 military action.

15 SIR JOHN CHILCOT: Thank you. To John Buck, for any final
16 reflections.

17 MR JOHN BUCK: Rather like Stephen, I think I have probably
18 covered the lessons learned in the earlier discussion,
19 particularly about potential changes to the way in which
20 we might organise an effort like this in the future.

21 Just to reiterate, if we are going to ever undertake
22 this, you need to think through the consequences very
23 carefully, you need to plan for the very worst case
24 scenario, and you need to have the resources in place.
25 I just don't think that happened in that case. As

1 I say, I am sure there are a lot of other people drawing
2 the same conclusion.

3 SIR JOHN CHILCOT: Thank you both very much, both for your
4 witness statements, which are helpful, and for what in
5 Stephen Pattison's case is a long day of evidence, and
6 in John Buck's case, a longish afternoon. Thanks very
7 much and thanks to those in the room who have been
8 witnesses to this hearing.

9 I will close the hearing now but we will return on
10 Wednesday at 9.30 am when we shall hear for the third
11 time from the Right Honourable Jack Straw MP about his
12 responsibilities when he was Foreign Secretary.

13 Thank you all very much.

14 (4.52 pm)

15 (Hearing concluded)

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