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Tuesday, 25th January 2011

(2.00 pm)

Evidence of LORD TURNBULL

SIR JOHN CHILCOT: Well, good afternoon, ladies and gentlemen. This afternoon we welcome back Lord Turnbull, who was the Cabinet Secretary from September 2002 to September 2005.

This period naturally covered the final planning for the invasion of Iraq, the invasion itself, the period of US/UK occupation of Iraq, the Iraqi Interim Government under Ayad Allawi and the beginning of Iraqi transitional government under Ibrahim Ja'afari.

We heard evidence from Lord Turnbull on 13th January last year. This session will pick up some points from that hearing as well as looking at a number of new areas.

As we say on each occasion, we recognise that witnesses give evidence based on their recollection of events and we are, of course, checking what we hear against the papers to which we have access and which we are still receiving.

I remind each witness on each occasion he will later be asked to sign a transcript of evidence to the effect that the evidence given is truthful, fair and accurate.

With those preliminaries I will turn to Sir Lawrence

1 Freedman to open questions. Lawrie.

2 SIR LAWRENCE FREEDMAN: Lord Turnbull, I believe you heard
3 Lord Wilson's evidence this morning. We have heard from
4 him and also from Tom McKane that by the time they both
5 left the Cabinet Office in September policy was still
6 containment and there was yet no agreement on a new
7 policy. Yet you will recall you told us when you saw us
8 before that the policy was settled by the time you
9 arrived in September on a new course which led to
10 military action.

11 I wonder if you could reconcile these two positions
12 for us.

13 LORD TURNBULL: Yes. I think the position as regards the
14 Cabinet as a whole was still containment. Options were
15 still open, and that was probably what I believed
16 at the time. Having in the course of preparing for the
17 first hearing and this one, having looked back at the
18 papers, particularly in July 2002, I formed the view that the
19 Prime Minister's thinking was some way in advance of
20 that. If you look at the key strategic
21 decisions, and we talked about this last year, I think
22 there were three.

23 One was following 9/11, what is our next priority
24 after the immediate response in Afghanistan? There was
25 a choice there that it was Iraq. It could have been

1 Iran, could have been North Korea, could have been
2 anything else. That was beginning to be formulated in
3 the US round about the turn of the year '01 to '02, and
4 it appears that the Prime Minister was more involved in
5 that, more guiding that discussion than we previously
6 realised.

7 The second key discussion, key strategic choice, is
8 if it is Iraq, what are our options? That is the
9 options paper of March 2002. The options were containment
10 and trying to ratchet up the effectiveness of the
11 sanctions; internally fomented regime change; or
12 deposing him by military action.

13 You then get to the famous meeting of July 23rd,
14 where we have moved to the third of the previous
15 choices, which is we are looking then at the options for
16 military intervention -- leaving in place the assets you
17 have already; enhancing those with access to our bases,
18 Cyprus, Diego Garcia, more air power, Special Forces,
19 naval, submarines; and the third, which is taking part
20 in ground forces, with a division of ground forces,
21 40,000 troops.

22 That account has appeared in various forms, but if
23 I take the Rawnsley account, the Rawnsley account in his
24 book "The End of the Party", in discussing this meeting
25 says someone is reported as saying "In the US military

1 action is now seen as inevitable", and the conclusions
2 are "We should work on the assumption that the UK would
3 take part in any military action".

4 So you have three major steps in the development of
5 the argument. When I pieced that together, plus the
6 thing I did not know at the time -- I have only
7 discovered this in the process of preparation -- the
8 Note on Iraq, some of which has
9 appeared in the press, because it is again reported in
10 Rawnsley, where the Prime Minister has revealed the
11 punch line. The punch line is you can count on us
12 whatever.

13 Now when you add that all together, that looks to me
14 like someone whose mind is pretty clearly made up that
15 military action is needed.

16 SIR LAWRENCE FREEDMAN: This is --

17 LORD TURNBULL: Can I finish?

18 SIR LAWRENCE FREEDMAN: Sorry.

19 LORD TURNBULL: Whose mind is pretty clearly made up,
20 expects there to be military action, expects the US to
21 lead military action, expects us to be part of it.

22 That indicates to me that his thinking is
23 substantially in advance of the thinking of the Cabinet
24 and that's why, you know, I think there is this
25 mismatch. None of those three stages was subject to

1 review by Cabinet.

2 SIR LAWRENCE FREEDMAN: Yes. What I am interested in,
3 though, because we can all go back now and try to work
4 out what was happening with hindsight, what you
5 understood at the time to be the case.

6 LORD TURNBULL: What I understood at the time was my first
7 Cabinet meeting was 23rd September 2002. Assurance was given
8 that no decisions had been taken and it was all about
9 trying to create an ultimatum. That meeting
10 concluded with an assurance that there would be
11 discussions about military options. That's
12 23rd September.

13 You get a month later a similar kind of discussion,
14 and that finishes with "Iraq would continue to be a topic
15 for discussion in Cabinet, including in due time the
16 military options". Nothing happens. Okay?

17 Then we get into the UN process. So all the Cabinet
18 meetings between the end of October all the way through December
19 are all talking about resolutions, whether we get one,
20 whether we get a second one and so on.

21 Then on 18th December Geoff Hoon makes a statement
22 to Parliament that various steps of mobilisation are
23 being taken. Reservists are being given notice.
24 Purchases are being made, and
25 assets, troops are being moved, and ships are being

1 dispatched on "manoeuvres" or on "exercises".

2 The next day that is reported to Cabinet. Okay? So
3 you can see that the extent to which they are brought
4 into the story lags a long way behind what had been
5 the degree of thinking by this time and preparation.

6 Then by the time you get to the first meeting in
7 January "No decisions taken on military action. Next
8 week the Cabinet will provide an opportunity for
9 discussion."

10 Well, there is a pattern here. There is a pattern
11 here that Cabinet is always told "Next week will be
12 a discussion". So the discussion that took place here
13 with Stephen Wall, were the Cabinet fully in the
14 picture? And the Prime Minister basically said, "Well,
15 they knew the score". That isn't borne out by what
16 actually happened.

17 SIR LAWRENCE FREEDMAN: Indeed. So you are telling us
18 there, just so we are clear, that discussions on
19 military options were promised in two Cabinet meetings,
20 but they never actually happened?

21 I still want to come back in terms
22 of the story as to what you understood as you took over
23 as Cabinet Secretary.

24 Lord Wilson told us that the meeting on July

1 23rd had given him a sense of a degree of uncertainty
2 and unease about where things were going, but there was
3 clearly -- the phrase he used -- a gleam in the Prime
4 Minister's eye?

5 LORD TURNBULL: What Richard Wilson said -- this is the
6 phrase he in his valedictory meeting, bilateral with the
7 Prime Minister said, "I can see there is a gleam in your
8 eye". What I think he meant was there was rather more than
9 a gleam in his eye. Had Richard known now, for example,
10 about the Note on Iraq, "You can count on us
11 whatever", and the subsequent telephone call with Bush,
12 I don't think he would have described it as a gleam.

13 SIR LAWRENCE FREEDMAN: He might have said it was more.
14 I think again we are trying to reconstruct what was
15 going on.

16 LORD TURNBULL: The position of the Cabinet Secretaries was
17 basically, their position was not significantly
18 privileged compared with the other members of Cabinet.

19 SIR LAWRENCE FREEDMAN: But did you have a conversation
20 yourself with the Prime Minister as you started about
21 what was likely to happen with Iraq? Did he -- we have
22 these reports from Alastair Campbell's diary and even
23 from Mr Blair himself about he came back sort of
24 all fired up from his holiday just as you were starting
25 as Cabinet Secretary. Did you have a discussion with

1 him about --

2 LORD TURNBULL: He was indeed fired up. He is a man who

3 recovers very quickly after a short spell of holiday,

4 but our discussions would have been largely about the

5 public service reform agenda. That's what he was trying

6 to fire me up about.

7 SIR LAWRENCE FREEDMAN: When you -- so your recollection is

8 you didn't have any particular discussion about Iraq?

9 LORD TURNBULL: No.

10 SIR JOHN CHILCOT: But you would have talked to David

11 Manning no doubt?

12 LORD TURNBULL: David Manning. There were

13 three people: David Manning, David Omand and Desmond

14 Bowen who were my three sources of information.

15 SIR LAWRENCE FREEDMAN: When you saw that the Cabinet had

16 been promised a discussion on military options but they

17 were never actually given one, as Cabinet Secretary did

18 you feel it was part of your responsibility to remind

19 the Prime Minister of this promise and see if

20 a discussion could be inserted into an agenda?

21 LORD TURNBULL: Well, Iraq was on the agenda. I knew that

22 he was very cautious about what he wanted to reveal. He

23 decided that for himself.

24 SIR LAWRENCE FREEDMAN: When we spoke to you last time you

25 mentioned these three military options that were

1 available at the time, and you said it was pretty clear
2 that we were going to go for option three.

3 Now I am not sure if it was actually decided at that
4 time, but if that was the case what you are suggesting
5 is actually the government had already decided on what
6 it was going to do, so it wasn't just procrastination?

7 LORD TURNBULL: You need to distinguish the Government, or
8 the Cabinet, or the Prime Minister and his entourage.
9 You are using these terms interchangeably and they are
10 not the same thing.

11 SIR LAWRENCE FREEDMAN: Yes, but there is a vague
12 presumption that the Prime Minister doesn't take
13 decisions all by himself even though he may be moving
14 things along, as we heard this morning --

15 LORD TURNBULL: That is a central issue in this enquiry.

16 SIR LAWRENCE FREEDMAN: As we heard this morning.

17 LORD TURNBULL: And from Stephen Wall.

18 SIR LAWRENCE FREEDMAN: It is important to understand the
19 extent to which if we take this meeting of the Cabinet
20 of 23rd September --

21 LORD TURNBULL: It wasn't a Cabinet. It was an ad hoc
22 meeting. Are you talking about 23rd September or
23 23rd July?

24 SIR LAWRENCE FREEDMAN: No. 23rd July. Did you see the
25 papers from that at the time, because we understand you

1 were in the John Major room in the Cabinet Office at the
2 time. Were you seeing papers of that sort?

3 LORD TURNBULL: The papers of, the record of 23rd July was
4 copied it says to Ian Fletcher. That means it came to
5 me. I wasn't particularly sensitised to that issue.
6 That wasn't what I was concentrating on. That would
7 have been the only piece of paper around, and as you
8 heard, at that stage Richard was concentrating on
9 leaving and I was concentrating on coming in.

10 So I didn't, my antennae didn't immediately think,
11 "This is an absolutely major issue at this point", which
12 is a pity, but that's how it was.

13 SIR LAWRENCE FREEDMAN: But for your first -- I think it was
14 your first Cabinet meeting on 23rd September.

15 LORD TURNBULL: Yes.

16 SIR LAWRENCE FREEDMAN: Iraq was a very big issue. There
17 was the dossier, but don't seem to have been any other
18 papers.

19 Were you surprised from your past knowledge of
20 Cabinet that there weren't papers prepared for this
21 particular meeting?

22 LORD TURNBULL: Not surprised in the least. No. Now you heard
23 from Richard Wilson this morning what are called the two
24 prisms. If I can, just as an interlude, say (a) I agree
25 with that and (b) I can actually reinforce it.

1 Mandelson says in his book¹, which seems to be the gospel,
2 the manual of how government should be conducted:

3 "Bilateral ad hoc meetings serviced by Number 10
4 staff" -- that's Number 10 staff, not the Cabinet Office
5 -- "are a good idea because they are small and
6 manageable and bring together those who are of real interest
7 and weight who can reach decisions more rapidly."

8 What we know from Blair's book, he is talking
9 about an early clash of cultures with Robin
10 Butler.

11 "There is a more serious point, at the root of which was
12 a disagreement which touches on the way modern
13 government functions. As I shall come to later, the
14 skill set required for making the modern state work
15 effectively is different from that needed in the
16 mid-20th century, far less to do with conventional
17 policy advice and far more to do with delivery and
18 project management. The skills are actually quite
19 analogous to those of the private sector." ²

20 As we heard from Richard, the Prime Minister's
21 understanding of what goes on in the private sector is
22 completely flawed. Anyway that's a different matter:

23 "None of the above means that decisions should be
24 taken without proper analysis, but it does mean that the
25 old infrastructure of policy papers submitted by civil

¹ Witness's footnote: Mandelson and Liddle *The Blair Revolution* p244

² Witness's footnote: Tony Blair *A Journey* p18

1 servants to Cabinet who then debate and decide with the
2 Prime Minister as a benevolent chairman, is not suitable
3 in responding to the demands of a fast-changing world."³

4 So this is not a bad habit that they slip into.

5 This was, in a sense, the new operating manual.

6 SIR LAWRENCE FREEDMAN: I am sure my colleagues would want
7 to talk more about this. Just again the position as you
8 are arriving, I mean, you have just been appointed as
9 Cabinet Secretary. You were aware of these issues. Did
10 you understand coming in as Cabinet Secretary that your
11 position was expected to be a completely different
12 position to those of your predecessors in terms of --

13 LORD TURNBULL: I understood it was meant to be different,
14 not completely different. There was to be a difference
15 of emphasis and the emphasis was particularly around
16 reform of public services, delivery, reform of the
17 management of the Civil Service. Those were the things
18 that were most highly prioritised by the Prime Minister
19 in the job application discussions that I went through.
20 But otherwise the way in which I operated was identical
21 to the way in which Richard Wilson operated. He
22 described the weekly routine, the Thursday meeting, the
23 submission of the business note for the next three weeks
24 and once a quarter forthcoming business. All that was
25 adopted by me in total.

³ Witness's footnote: Tony Blair *A Journey* p19

1 SIR LAWRENCE FREEDMAN: You wouldn't have necessarily seen
2 it as part of the process that you were involved in at
3 that time to say "Wouldn't it be a good idea if we had
4 a paper", or asked David Manning and his staff to
5 produce a paper for a Cabinet meeting to keep the
6 Cabinet themselves fully informed?

7 LORD TURNBULL: The Prime Minister
8 clearly had a view about how he wanted to manage his
9 colleagues and I did not say, "You are not doing this
10 correctly". You are obviously trying to say that
11 I should, but -- .

12 SIR LAWRENCE FREEDMAN: That wasn't my question.

13 LORD TURNBULL: Well ... the answer is I didn't and, as
14 Richard Wilson said this morning, there are things you
15 know that you can push on and things you know are
16 accepted.

17 I will quote you one other piece from -- this is
18 from the Powell book:

19 "The Cabinet Secretary wants to become the Prime
20 Minister's closest advisor, but the Prime Minister
21 doesn't always want that."⁴

22 That's the mindset of what we were dealing with.

23 SIR LAWRENCE FREEDMAN: Okay. Can I just ask you a couple
24 more questions on substantive issues?

25 Just going back to this question of military

⁴ Witness's footnote: Jonathan Powell *The New Machiavelli* p80

1 options, there is an exchange of minutes between the
2 Defence Secretary and the Prime Minister in the middle
3 of October 2002 in which the Defence Secretary asks for
4 a firm decision on option three, which is the big one.

5 Were you aware of that request at the time?

6 LORD TURNBULL: No.

7 SIR LAWRENCE FREEDMAN: In the event the Prime Minister
8 wouldn't commit and it really wasn't fully agreed to
9 until January 2003?

10 LORD TURNBULL: Yes. I was aware that there was this sense
11 of unease. You know, we have got to start taking
12 decisions because we have to give people notice, all the
13 things that were contained in the December statement by
14 the Secretary of State for Defence. There was this
15 anxiety. At the same time the Prime Minister was
16 worried about opening this thing up and worried -- this
17 is something that has been noted on extensively -- about
18 creating the presumption that war was inevitable, even
19 though that's what -- that word "inevitable" appears in
20 the conclusions of the 23rd July meeting.

21 So on one hand you are saying we are negotiating,
22 pressing through the United Nations and you rather hold
23 back on the military side of it. You want it to look as
24 powerful as is necessary to get Saddam Hussein to accede
25 to the demands of the UN, but not so powerful that it

1 looks as though you are not really bothered with that
2 and war is the only option. But eventually they cannot
3 hold out any longer and they have to start going public
4 on the things that are being done.

5 SIR LAWRENCE FREEDMAN: On 15th January I think it was, the
6 chiefs had a meeting with the Prime Minister where the
7 military options and the planning was discussed with
8 him. Were you aware of that meeting?

9 LORD TURNBULL: I certainly didn't attend it. I'm not sure
10 whether I was aware of it. I don't think I was aware of
11 it.

12 SIR LAWRENCE FREEDMAN: Because I think there was a Cabinet
13 meeting the next day. That would seem to be a good
14 moment when the options might have been discussed.

15 LORD TURNBULL: There was a meeting of the Cabinet on
16 9th January, but it was still -- the presentation to the
17 rest of Cabinet was still -- nothing was inevitable. We
18 are pressing the UN option. No decisions on military
19 action, whereas you can see that, at another level, the
20 decisions on military action were hardening up quite
21 substantially.

22 SIR LAWRENCE FREEDMAN: You don't recall the particular
23 briefing that the Prime Minister got or whether this
24 might have been an opportunity for some of those points
25 that emerged out of that briefing to be put to Cabinet?

1 LORD TURNBULL: He was very reluctant to discuss the
2 military options. There was a quotation somewhere from
3 the middle of '02 on precisely that, that he didn't want
4 details of military planning to be discussed.
5 I could see he didn't want key discussions of where
6 we were going, through the north or the south and who was
7 going to bring what forces to bear where, and there is
8 some sense in that. But the strategic choices that they
9 implied, of course, didn't get discussed either. For
10 example, the fact that if you have ground forces you
11 become an occupying power. I don't remember someone
12 saying "Wouldn't it be better if we just halted at
13 option 2, because then we will not be involved in being
14 an occupying power?" I don't remember seeing that.

15 SIR LAWRENCE FREEDMAN: Just to conclude, because you have
16 clearly familiarised yourself with a couple of
17 discussions, can you recall what the Cabinet was told
18 about the necessity for a second resolution, perhaps
19 from the point of 1441 being agreed in November 8th
20 onwards?

21 LORD TURNBULL: They were certainly told and
22 they certainly argued it was desirable. They were also
23 told, and this has come from Jack Straw, that the
24 construction of the wording was designed to make
25 a second resolution desirable but not necessary. There

1 is a phrase somewhere "The trick was to not require
2 a mandatory second resolution".
3 That was the diplomatic battle of wills that took place
4 with the French and others, which the British basically
5 thought at the time they had won that battle, although
6 all through this time there was never any doubt that the
7 second resolution was desirable. Indeed, for a long
8 time they thought it was feasible too.

9 SIR LAWRENCE FREEDMAN: Then just lastly, can you recall,
10 having refreshed your memory you tell us, what the
11 Cabinet was told about the role of the inspectors in
12 calling for a military breach -- a material breach?

13 LORD TURNBULL: They were -- we are into about the end of
14 February/early March.

15 SIR LAWRENCE FREEDMAN: Possibly earlier as well, because
16 the inspectors went --

17 LORD TURNBULL: Week by week they were given progress
18 reports on the state of play with the inspectors. Were
19 they getting in? Were they getting co-operation and so
20 on and so forth? That's the bit that they were actually
21 rather well-informed about, much more so than on the
22 military side.

23 SIR LAWRENCE FREEDMAN: Thank you very much.

24 SIR RODERIC LYNE: Just on that, if you go back to the time
25 that 1441 was passed, did the Cabinet -- were they given

1 an impression as to whether or not we had to go back to
2 the Security Council for a determination of material
3 breach?

4 LORD TURNBULL: I think what 1441 says is you had to
5 report back.

6 SIR RODERIC LYNE: That's what it says. What were the
7 Cabinet told? Do you remember what the Cabinet were
8 told about it, how it was interpreted to the Cabinet?

9 LORD TURNBULL: I think they may well have been told that
10 a second resolution was not essential. Indeed, this
11 is part of what looked at the time like
12 a triumph in 1441, which was to get that wording, and
13 Jack Straw was very proud of the fact in a sense that
14 they had got the better of the French in securing that
15 wording. So they knew that the resolution wasn't
16 essential, that the second resolution wasn't essential.
17 You had to go back and report your view that
18 insufficient progress had been made and therefore Saddam
19 Hussein was still in material breach, but you didn't
20 need to have a second vote of the Security Council to
21 take -- whatever the phrase was -- appropriate action.

22 SIR RODERIC LYNE: Thank you.

23 SIR JOHN CHILCOT: Just before I turn to Sir Martin Gilbert,
24 just picking up one thing from what you were saying
25 a few moments to Sir Lawrence, you drew the distinction,

1 which I think is familiar, between the government in the
2 broad sense, the Cabinet, the entirety of it and the
3 Prime Minister and his entourage in Number 10.

4 At the same time Lord Wilson told us this morning
5 that much of the day-to-day business of government was
6 being conducted in Cabinet committees, if you like, on
7 the conventional model of doing government business?

8 LORD TURNBULL: Yes.

9 SIR JOHN CHILCOT: That was not happening with Iraq. What
10 was it about the Iraq enterprise, project that made it
11 something that had to be handled very differently and
12 more tightly, not only in the sense of Operational
13 Security but in terms of political awareness within the
14 wider stretch of government?

15 LORD TURNBULL: Well, it is certainly true, first of all,
16 that huge swathes of government continued on the
17 conventional model of Cabinet committees, the committees
18 chaired by Jack Straw and John Prescott and so on, and
19 Margaret Beckett continued in the normal way.

20 Why was there this sharp break? Richard Wilson
21 implied very clearly that all of a sudden DOP meetings
22 die out. I think it was the high political
23 sensitivity of it that the Prime Minister knew that the country
24 was probably very happy to drive Milosevic out and protect
25 the Kosovans, but this was politics of a different

1 order, it was an alliance with a President who was not popular
2 in this country. Many people thought that his election
3 was fraudulent. Rather than confront it head on at the
4 time -- I mean, there was already a lot of opposition --
5 I think he thought that he could carry this through by
6 the force of his personality and persuasion, but that
7 there were too many risks of opening it up too soon.

8 SIR JOHN CHILCOT: So the Mandelson manual applies only in
9 specific and important cases rather than to the
10 generality of the conduct of Government.

11 LORD TURNBULL: This is the -- I will quote one other thing.
12 This time it is from Powell. Okay?

13 "I can tell the difference between an ad hoc (lower
14 case) and an Ad Hoc (upper case) Committee, and I don't
15 think it matters. Those who suggest that it does are
16 stuck in an old fashioned mindset who can't distinguish
17 between form and substance. -- These speeches about
18 this are essentially the death rattle of the old
19 Mandarin class."⁵

20 That's me. It goes on:

21 "Decisions are well made if the right people are in
22 the room and they have all the available facts before
23 them and feel free to challenge the propositions and
24 argue. " It doesn't matter whether it is lower case
25 or upper case.

⁵ Witness's footnote: Jonathan Powell *The New Machiavelli* p60

1 This is where I fundamentally disagree with him
2 because there is a huge difference between an upper case
3 Committee and a lower case committee. In an upper case
4 Committee you choose people who are the right people and
5 relevant people. There is an ex officio membership of
6 it, whereas if you are ad hoc you choose who you want to
7 be there. You also have great control over the papers
8 that go through and greater control over the membership
9 and thereby you control the degree of challenge.

10 So the fundamental point is that structures, this
11 is where the old Mandarin class and New Labour
12 fundamentally disagree, that processes and structures do
13 affect the way discussions take place. But they wanted
14 something where you could choose who you wanted in and
15 who you wanted out, and clearly the Prime Minister
16 didn't want Clare Short and Robin Cook in, because he
17 thought they would be troublesome. That's his style of
18 working.

19 SIR JOHN CHILCOT: Is it right to develop that one more
20 stage to say that a system operating under those
21 different Mandelson rules can control the dissemination
22 of the outcome of gatherings, meetings, whatever?

23 LORD TURNBULL: Yes. Well, there's a choice as to whether
24 anything is minuted at all, because some of these ad hoc
25 meetings, you have the figures, some were minuted and

1 some weren't. Then the dissemination of those minutes
2 did not go to the people who ex officio had a right to
3 see them. They went to the people who were chosen to be
4 there.

5 SIR JOHN CHILCOT: I would like to turn to Sir Martin
6 Gilbert now on the role of the involvement of the
7 Attorney General, noting as I do so that when the
8 Attorney on one occasion had a meeting and subsequently
9 his office had a note of that meeting and sent it to
10 Number 10, that was not approved of.

11 Martin.

12 SIR MARTIN GILBERT: In his witness statement to us Lord
13 Goldsmith said that he was not sufficiently involved in
14 the meetings and discussions about Resolution 1441 while
15 it was being negotiated and while the policy behind it
16 was being devised, and that he had made this point that
17 he felt he should be discussed at that stage on a number
18 of occasions both to the Prime Minister and also to the
19 Foreign Secretary.

20 He also said that he was discouraged from giving
21 such advice and he was asked to discuss a paper in draft
22 with the Prime Minister but, as he put it "I was told
23 that I was not being called on to give advice at this
24 stage". The draft was specifically not advice.

25 Mr Blair agreed in retrospect that it would have

1 been better for Lord Goldsmith to be more closely in
2 touch with the negotiating procedures for 1441.

3 What did you see as your role as the Cabinet
4 Secretary in the involvement of your advisers as
5 advising on Iraq?

6 LORD TURNBULL: This is something you can see very clearly
7 where the Prime Minister wished to manage this himself
8 for precisely the same reasons as we were talking about
9 before. He didn't want to bring matters to a head and
10 hence create problems in his presentation and the
11 process of persuasion. He was trying to control that
12 process.

13 He knew from the beginning that a legal advice was
14 necessary. That was the conclusion, the 7th March '02
15 conclusion. No decisions were taken and whatever is
16 done should be in accordance with international law. He
17 absolutely knew that. This was all about tactics of
18 when I want this presented.

19 He knew at some stage he would have to bring him in,
20 but he kept him at bay. The Attorney General conducted
21 that discussion direct with the Prime Minister, didn't
22 route it -- he didn't seek the support, as some other
23 people had done, where they felt they were excluded. He
24 didn't seek the support of the Cabinet Secretary or
25 Cabinet Office.

1 SIR MARTIN GILBERT: Were you aware of his concerns about
2 his involvement at this time?

3 LORD TURNBULL: I was aware, but I wasn't -- I wouldn't say
4 I was anything more than aware.

5 SIR MARTIN GILBERT: The Ministerial code specifically
6 states that the Law Officers should be consulted in good
7 time before a government is committed to critical
8 decisions involving legal considerations.

9 Do you feel that this requirement was met in this
10 case?

11 LORD TURNBULL: As it worked out, probably not, but who
12 enforces the Ministerial code? A Prime Minister
13 enforces the ministerial code.

14 SIR MARTIN GILBERT: You as Cabinet Secretary would have no
15 input in terms of advising at this point?

16 LORD TURNBULL: Well, it got to the point where I joined
17 forces with Sir Michael Boyce and said "This can't go
18 on. We do need a view", but it was only when we really
19 began to think there might not be a second resolution
20 that it came to a head, because if there were, there was
21 never any -- the answer was very easy. That wasn't
22 until the end of February where you begin to think maybe
23 this second resolution isn't going to arrive. That's the
24 point at which he gets brought in for his definitive advice.

25 SIR MARTIN GILBERT: We are a committee which has to look

1 into lessons that might be learned. Do you yourself
2 have any advice to us, any observations on the process
3 by which the Attorney General's advice was provided to
4 the government on the Iraq issue?

5 LORD TURNBULL: Well, I can see that it would have been
6 better if this had been done earlier, but the list of
7 things for which that is true runs to many
8 pages. This is just one amongst them.

9 SIR MARTIN GILBERT: Thank you.

10 SIR JOHN CHILCOT: I will turn to Sir Roderic Lyne now.
11 Rod.

12 SIR RODERIC LYNE: Can I ask about another amongst them?
13 When we were talking to Mr Blair the other day we
14 recalled how he had stated in the House of Commons on
15 15th January 2003 that there are circumstances in which
16 a UN resolution is not necessary because it is necessary
17 to be able to say in the circumstances where
18 an unreasonable veto is put down that we would still
19 act.

20 Now he made that statement having had advice from
21 the Attorney General effectively that there was no such
22 thing as an unreasonable veto. A veto was a veto.

23 He said to us that what he was doing in the House of
24 Commons was less making a legal declaration, "Because
25 I could not do that", but a political point.

1 Then he went on to say that there were occasions --
2 that he normally chose his words very carefully but that
3 this -- and I think his statement to Jeremy Paxman --
4 were occasions perhaps when he had not chosen his words
5 as carefully as he might.

6 Now that being the case, should steps have been
7 taken to correct the inconsistency in what the House of
8 Commons was told between the legal advice, and this was
9 not legal advice -- this bit of legal advice never
10 changed. Some other aspects did, but not the point
11 about an unreasonable veto. The inconsistency between
12 the legal advice and the Prime Minister's statement
13 about it, should that have been straightened out in the
14 House of Commons?⁶

15 LORD TURNBULL: Well, I think the Prime Minister would say
16 that he was repeating the point that 1441 had been
17 drafted in a way which made a second resolution not
18 mandatory, and essential, so that was
19 still true. The phrase about unreasonable veto was
20 a political spin that he put on it. I think he thought
21 that the fundamental point was still
22 there, that a second resolution was not essential.
23 That's presumably why he didn't think it necessary to
24 correct it.

25 SIR RODERIC LYNE: Even though his senior law officer is

⁶ Witness's footnote: I was not aware at the time of the discussions between the Prime Minister and the Attorney General on the concept of unreasonable veto.

1 saying, "There is no such thing as an unreasonable veto.
2 I mean a veto is a veto. If something is vetoed ..."
3 you can't ignore it?

4 LORD TURNBULL: I think he probably said, as he said to you,
5 I didn't put that in the best way that I could have done,
6 not that I misled.

7 SIR RODERIC LYNE: If such a statement is made to the House
8 of Commons that is not actually accurate, according to
9 what your legal advice, is there not an obligation to go
10 back to the House of Commons and say "Sorry. I didn't
11 get that quite right. The true position is there is no
12 unreasonable veto". Isn't that what you should do?

13 LORD TURNBULL: He didn't feel that this was -- this was
14 a kind of misspeaking rather than a serious error or
15 attempt to mislead, and it was all drawn out with the
16 high drama of arm wrestling with the French and --

17 SIR RODERIC LYNE: Well, the arm wrestling came later than
18 the middle of January. That really came in March, a
19 fairly early stage of arm wrestling in January.

20 Okay. Let's move on from that. In your last
21 evidence session you told us that you didn't consider
22 that the way that the Attorney General's advice was
23 presented to Cabinet, that is in March in the Cabinet
24 meetings immediately before we went into the military
25 action, you didn't consider that this constituted

1 a breach of the Ministerial code requirements, as the
2 Attorney General was there to explain his advice.

3 Now Lord Goldsmith's long advice of 7th March was
4 addressed to the Prime Minister and was shown only to
5 the Foreign and Defence Secretaries and was not shared
6 with the Cabinet as a whole. In his evidence to us he
7 indeed, Lord Goldsmith, said that he considered that the
8 Prime Minister was ultimately his client.

9 Do you have any observations on this set of issues
10 on the role of the Attorney General and his
11 constitutional relationship with the Prime Minister, on
12 the one hand, and the Cabinet, on the other?

13 LORD TURNBULL: I don't agree with the characterisation that
14 the Prime Minister was his client. I would have said
15 that I was the client and Michael Boyce was the client.
16 We both needed to know, and the diplomatic service were
17 clients. They needed to know whatever steps they were
18 taking, whatever money they were spending was legal.
19 There were lots of people who were clients in that
20 sense. I think the characterisation that the Prime
21 Minister was his client isn't a very good description of
22 the importance of this advice.

23 SIR RODERIC LYNE: Lord Wilson said this morning that the
24 normal form really would have really been for the
25 departmental Minister or Ministers, he thought possibly

1 the Foreign and Defence Secretaries jointly, to seek the
2 advice from the Attorney General, the Attorney General
3 to give it to them as the people responsible for policy
4 and for the advice then to be presented from them to the
5 Cabinet, that the thing had been, as it were, legally
6 approved?

7 LORD TURNBULL: What is different in that account is who
8 commissions this advice, which I am distinguishing from
9 who was the consumer of it, the user of it, who needed
10 it. The answer who needed it was everyone.

11 SIR RODERIC LYNE: The Cabinet as a whole?

12 LORD TURNBULL: Absolutely. All sorts of departments would
13 be required to do things which they wouldn't otherwise
14 have done, might not have had powers for if this had
15 been -- this war had been declared illegal in
16 international law.

17 A separate issue is who actually asked for it?
18 Well, what is absolutely clear is who is the project
19 commissioner of this whole enterprise? It is the Prime
20 Minister. So in that sense it is perfectly
21 understandable that the Prime Minister is asking for
22 this but its purpose wasn't simply to advise the Prime
23 Minister what he should do. It was necessary for huge
24 numbers of people in the military and in the Civil
25 Service to know the actions that they were taking was

1 legal.

2 SIR RODERIC LYNE: If it was necessary for the Cabinet as
3 a whole to have this advice, were the Cabinet given
4 enough of the advice?

5 LORD TURNBULL: They were given -- this is an argument that
6 I have been involved in at a number of hearings -- they
7 were given his definitive advice. By 7th March I don't
8 think it was clear whether the first or second
9 resolution question had been resolved, and various
10 drafts of this advice appeared, but I don't think -- he
11 doesn't finally make up his mind until the point at
12 which he comes to the Cabinet and gives that advice.

13 Almost the last words, or my last appearance came
14 from the Chairman. He said "Are you describing these
15 previous discussions as travaux preparatoires?" I
16 think I said that I thought that was a very good
17 description, but he didn't really make up his mind
18 because the circumstances for changing the state of the
19 negotiations in the UN, and he goes and takes views from
20 the Foreign Secretary who had negotiated this
21 resolution, and he went to America to see what view did
22 they take. Eventually, having done that, he then comes
23 up with the view which he eventually presents to the
24 Cabinet.

25 SIR RODERIC LYNE: In presenting it to the Cabinet do you

1 think he gave them enough of the background to it? Do
2 you think they were able to judge from what they were
3 told whether we had a strong legal position or a tenuous
4 legal position, or maybe something in between?

5 LORD TURNBULL: I think he told them that they had
6 a sufficiently strong legal position to carry through
7 the obligations that were being placed upon them.
8 I don't think he went into this -- I don't think he used
9 words like "This is just about a colourable case", the
10 kind of words lawyers use. He said "This is
11 my advice" and he believed the revival argument was
12 a valid basis to proceed.

13 SIR RODERIC LYNE: So the doubts that he had expressed in
14 his definitive advice of 7th March -- it wasn't draft or
15 provisional, it was definitive -- about the strength of
16 the revival case were not reflected in what the Cabinet
17 was told? They didn't know he had had serious doubts
18 about that two weeks previously?

19 LORD TURNBULL: Well, the doubts were before he had
20 done all his researches and before the final --

21 SIR RODERIC LYNE: I think he had done all his researches by
22 7th March. He had had his meeting with the Americans,
23 with Jeremy Greenstock. He had read the negotiating
24 records and he gave his definitive advice. His draft
25 advice was January. It was definitive on 7th March.

1 LORD TURNBULL: I think you have to ask him these things.
2 The issue for me is if this is of such importance to
3 you, you are not --

4 SIR RODERIC LYNE: What we are trying to understand is how
5 this appeared from the point of view of the Cabinet as
6 a whole.

7 LORD TURNBULL: Well, you should ask him whether he thought
8 he was saying you will just about get away with this or
9 whether this is a sound case.

10 SIR RODERIC LYNE: No, we have asked him that, but the
11 question that I am asking you is whether the Cabinet as
12 a whole, and you were the guardian of the rules in some
13 ways as the Cabinet Secretary, were told enough about it
14 to make this very serious judgment that they made to
15 endorse going into military action?

16 LORD TURNBULL: We take our lead from the Attorney General.
17 There are various other views were put, and it is the
18 role of the Attorney General in our system to assimilate
19 all that and come up with a view, and that he did. The
20 Civil Service and myself are not going to say "I don't
21 think this is quite good enough for me". That's not how
22 you work. Some of the lawyers in the Foreign Office may
23 have done, but by and large the military and Civil
24 Service were saying "Please give us a view on which we
25 are empowered to act".

1 SIR RODERIC LYNE: Thank you. Moving into the process of
2 Cabinet decision-making again, in our earlier hearing
3 with you you told us that between September 2002 and the
4 time of the conflict there was a group of Ministers and
5 others who met at Number 10. Do you recall how
6 frequently that group met over those six months? Was
7 this a frequent occurrence?

8 LORD TURNBULL: I haven't got the numbers, but I think it
9 was fairly frequent. I mean, it wasn't daily, but it
10 was ...

11 SIR RODERIC LYNE: I mean, we have had a list from the
12 Cabinet Office that suggested nine meetings -- this is
13 not counting Cabinets themselves -- on Iraq, at which
14 the Prime Minister, the Foreign Secretary and Defence
15 Secretary, were all present, plus one other at which the
16 Foreign Office was represented by a junior Minister,
17 Chief of the Defence Staff attending seven of those,
18 chief of SIS and Director General of the Security
19 Service one each, Director of GCHQ not present.

20 Is that the group that you had in mind when you were
21 talking to us earlier? Does that sound like the same
22 group we are talking about.

23 LORD TURNBULL: This is the ad hoc, small A, small H.

24 SIR RODERIC LYNE: What you don't have there, you have not
25 got the Deputy Prime Minister. You haven't got the

1 Treasury represented, and they have to pick up the tab
2 for this and had done quite a lot of work on the
3 consequences of an action, and you haven't got the
4 Department for International Development, who were going
5 to be much involved in the aftermath.

6 Ideally should they have been there?

7 LORD TURNBULL: Well, what has emerged since is
8 an undertaking in the response to the Butler Inquiry.
9 The Prime Minister recognised the importance of candid
10 discussion, and as he said on 20th July 2004:

11 "Where a small group is brought together to work on
12 operational military planning and developing diplomatic
13 strategy, in future such a group will operate formally
14 as an ad hoc Cabinet Committee." ⁷

15 So he has accepted that doing this again it would be
16 an ad hoc Cabinet Committee.

17 SIR RODERIC LYNE: With a capital A and a capital H.

18 LORD TURNBULL: Funnily enough, it is in lower case here.

19 But it would be --

20 SIR RODERIC LYNE: A Cabinet Committee.

21 LORD TURNBULL: A Cabinet Committee with a name, with
22 a membership. The characteristics of a Cabinet
23 Committee are is it has a name, it has a membership, it
24 has terms of reference and it circulates papers in
25 a series and they are minuted by the Cabinet Office.

⁷ Witness's footnote: Debate on the Butler Report in the House of Commons

1 Those are the distinctive characteristics of a formal
2 Cabinet Committee.

3 SIR RODERIC LYNE: None of these things happened in the case
4 of this committee?

5 LORD TURNBULL: No.

6 SIR RODERIC LYNE: At least there were no papers. Some of
7 the meetings were minuted. At least two of them were
8 not?

9 LORD TURNBULL: Yes.

10 SIR RODERIC LYNE: That's coming back to what you were
11 saying earlier about the disadvantages of ad hoc
12 committees?

13 LORD TURNBULL: Yes.

14 SIR RODERIC LYNE: Where you differ from Jonathan Powell?

15 LORD TURNBULL: Yes.

16 SIR RODERIC LYNE: Okay. Now to what extent did that differ
17 from the practice -- because you have worked obviously
18 closely with previous Prime Ministers in different
19 incarnations? Did it differ from the practice there,
20 and particularly the fact that you didn't have Ministers
21 attending -- very senior Ministers attending these
22 meetings beyond those who had departmental
23 responsibilities? So you didn't have heavyweight
24 Ministers not burdened with the portfolio relevant to
25 the subject, but in a position to look for flaws in the

1 strategy, to challenge, to stress test. Was that a key
2 distinction between this process and what you'd seen
3 under previous Prime Ministers? I believe you worked
4 for Lady Thatcher, who has been quoted in evidence,
5 including this morning?

6 LORD TURNBULL: That was one of the advantages that Jonathan
7 Powell is claiming for these flexible meetings is that
8 you brought in the right people and there was a degree
9 of challenge. The whole result was that that was
10 weakened by using this smaller group, and in some cases
11 you can see why. It was clearly the case that the Prime
12 Minister was discomfited by the presence of Robin Cook,
13 who had doubts about this enterprise. Clearly he found
14 it uncomfortable working with Clare Short, who also had
15 doubts. David Blunkett possibly also. The Prime
16 Minister's favourite way of working was to get a group
17 of people who shared the same endeavour and to move it
18 at pace and not spend a lot of time arguing the toss.

19 Now you can see the disadvantages of that process is
20 on the one hand you move effectively ahead, but when it
21 comes to the point of engagement and responsibility you
22 are then asking people to take responsibility for
23 something that they had very little to do with.

24 Now that goes on all the time in Cabinet. You know,
25 everyone is committed to a decision about school fees or

1 hospitals or whatever, but this was a very major
2 enterprise. I mean, the whole Cabinet was asked to take
3 responsibility for the decision to go to war. That's
4 what the meeting on 17th March was all about, but they
5 had not -- none of them had been selected, or as a group
6 had really been taken along step by step in each of the
7 major strategic choices.

8 Oddly enough not many of them are really saying
9 "I was misled or I thought this was an abuse". They by
10 and large accepted that apart from the ones who
11 subsequently resigned. I think Richard Wilson has
12 pointed out that this way of working was deeply
13 ingrained from 1994, when Mr Blair took over as leader
14 of the Labour Party. That's how the Shadow Cabinet
15 worked. That's how the real Cabinet worked. They in
16 a sense responded to his leadership, but
17 I think we are now seeing the disadvantages of that
18 style of working. It got you to where you wanted to be
19 very fast, but not always in the state that you wanted
20 to be in.

21 SIR RODERIC LYNE: Lord Wilson said that New Labour had in
22 this respect seen Lady Thatcher as a model that they
23 thought they were emulating?

24 LORD TURNBULL: Yes.

25 SIR RODERIC LYNE: Now you were Lady Thatcher's Private

1 Secretary for some years?

2 LORD TURNBULL: Yes.

3 SIR RODERIC LYNE: Were they emulating her model or did she

4 actually include people who didn't necessarily agree

5 with her in her decision-making processes?

6 LORD TURNBULL: This is incorrect, this

7 description of the way Mrs Thatcher worked. The way

8 Cabinet worked as a whole was not terribly different

9 from the way Blair worked. The Labour Party up to '79

10 had lots of meetings, sometimes twice a week, lots of

11 discussions, meetings sometimes going over more than one

12 day. You see all this in 1976. Very quickly under

13 Mrs Thatcher the number of Cabinet meetings comes down

14 to about 35 to 40 a year and not many papers either.

15 The difference is that the next tier of work, DOP or

16 whatever, that tier of meetings which the Prime Minister

17 chaired by and large were chaired by Mrs Thatcher. So

18 she did not walk away from the Cabinet Committee system

19 in the way that Mr Blair, and I would say also Gordon Brown

20 did, leaving the traditionalists who were left

21 chairing a great mass of Cabinet Committees. So the

22 idea that she dealt with things in a small huddle is not

23 correct.

24 SIR RODERIC LYNE: Was 17th March Cabinet the first time

25 that the Cabinet as a whole had been asked to take

1 a decision approving military action?

2 LORD TURNBULL: I think it was, yes.

3 SIR RODERIC LYNE: What option did it have at that time?

4 The Duke of York had marched his troops up to the top of

5 the hill. Did it have any alternative other than, as

6 Robin Cook did before that meeting, to resign?

7 LORD TURNBULL: Well, if enough of them had got together and

8 said, "We are not going to support this". I don't know

9 whether they knew about the Rumsfeld-Bush offer. "You

10 don't have to come if it is going to cause you too much

11 political pain", or whether we could have gone back to

12 military option B, but they were pretty much imprisoned.

13 David Omand produced this concept of zugzwang where you

14 imprisoned your opponent but ended up getting imprisoned

15 yourself. They were pretty much captive other than a major

16 break, which is to say we have planned this military

17 exercise not simply as reinforcements. There were certain

18 specific tasks that we had agreed to take on and the

19 Americans would have had to do a lot of military

20 reorganisation, which they said they could have done but

21 it would have taken them time to do it. Other than

22 a major break of that kind, one which probably would

23 have meant that the Prime Minister wouldn't have

24 survived, I don't think they did have any choice.

25 SIR RODERIC LYNE: And they took collective responsibility

1 for going to war without having had a single Cabinet
2 paper on the subject in the preceding year and a half?

3 LORD TURNBULL: That's probably correct. They had had many
4 discussions but no papers, but more importantly none of
5 those really key papers like the options paper in March
6 '02, the military options paper of July, none of those
7 were presented to Cabinet, which is why I don't accept
8 the former Prime Minister's claim that they knew the
9 score.

10 SIR RODERIC LYNE: Can I finally take you back to another
11 point that Lord Wilson was making this morning?
12 Thrusting private companies are not run by fuddy-duddy
13 old Mandarins, although sometimes fuddy-duddy old
14 Mandarins sit on their boards, like your predecessor,
15 you have had extensive experience of corporate
16 governance in both the public and private sector and you
17 will have heard what Lord Wilson had to say at this
18 point.

19 Is there a dichotomy between speed of
20 decision-making and ability to deliver, on the one hand,
21 and corporate governance and due diligence, on the
22 other? Is that something that you see in private
23 companies or are they able to combine corporate
24 governance procedures with taking decisions quickly and
25 effectively? Can the government learn anything from the

1 private sector here?

2 LORD TURNBULL: I have been surprised by the scrupulousness
3 of the decision-making process. A typical board pack
4 will have first of all not just the board minutes but
5 the matters arising, and you go through the matters
6 arising, which I think comes back to Sir Lawrence's
7 point about "When last week you told us this and it
8 hasn't happened". If that had been the way
9 Cabinet minutes were written that would have been
10 apparent.

11 When decisions are taken it is very often the case
12 that a decision is taken in principle and then
13 the minutes record who is the committee that is
14 empowered to finalise it. You take a decision on the
15 dividend and then at the last minute someone finally
16 says "And it is 26p a share". You get authorisations.
17 There are investments, spending limits and those are on,
18 I think, an authorisations committee. You are shown the
19 things that they have authorised. There is a great deal
20 of scrupulousness about this.

21 The care with which, if you are making a public
22 offering, decisions are recorded and the so-called
23 forward looking statements are made, are all recorded very
24 carefully and the audit committee will go through this
25 in great detail. So the authorisation process is very,

1 very rigorous. And if you were a financial services
2 company, your regulator can go back over these and say
3 "How did this decision come to be made?" to an extent
4 which the public sector cannot match at all.

5 There is another important distinction about the
6 release of information, that the prevailing -- you know,
7 the Campbellist tradition says "If I have information to
8 release I will try to use it to the maximum effect and I
9 will try to find a sympathetic outlet and I will give it
10 to them first and I will deny information to people who
11 aren't sympathetic to me".

12 SIR RODERIC LYNE: For the record let's make clear by
13 Campbellist you mean Alastair Campbell?

14 LORD TURNBULL: Alastair Campbell, yes. This is one of his
15 key doctrines. The whole tradition of the corporate
16 world is going very fast in the other direction, that
17 all information has to be released to everyone through
18 the registered news service, RNS at 7.30 in the morning.
19 And now the FSA is beginning to clamp down on newspaper
20 interviews, investor briefings. So this equality of
21 information is being rigorously enforced.

22 Now this is again an area where in corporate
23 governance terms the public sector is light years
24 behind. So the idea that there is this kind of
25 entrepreneurial group going ahead and making these

1 decisions is wrong.

2 If I may digress slightly, there is a cultural
3 issue here that the people running the New Labour
4 project were, in my view, small organizations people. All
5 their experience was in small organisations, you know,
6 as lawyers, TV producers, journalists or whatever, where
7 there is a very close relationship between what happens
8 and what actions you took. Then there is a clash
9 between the Mandarins, who are big organisation
10 people -- they believe in structures, mandates,
11 disciplines and accountability. All this stuff about
12 "We have to be like the private sector" is
13 a characterisation of -- if you are an entrepreneur on
14 your own -- you can decide just to do it and then do it.
15 But if you are in a PLC you go through careful
16 processes, and the areas where this is broken down have
17 often ended very badly indeed.

18 SIR RODERIC LYNE: So can government, should government
19 learn from some of those practices among big
20 organisations?

21 LORD TURNBULL: It should do. Richard posed
22 a very interesting idea that the board evaluation which
23 under the new, the revised Combined Code says that it should
24 be undertaken every year -- in all FTSE 350 companies
25 and above, and at least one of those should be

1 externally facilitated. Why couldn't we do this for
2 Cabinet?

3 It is a nice idea. But there is one crucial difference.
4 The directors of the company are elected by shareholders,
5 whereas in Cabinet the people who are saying "I don't
6 think the Chairman is handling this properly", depend
7 upon their political fortunes on the Chairman. The
8 Chairman of a PLC cannot remove directors who are
9 causing him trouble.

10 It is quite difficult to make that analogy work, but
11 there is the germ of an idea there that the way in which
12 Cabinets work and the way they are chaired and so on, that
13 there should be some feedback is a good one. But it is quite
14 difficult to make it work and there isn't quite the full
15 private sector analogy.

16 SIR RODERIC LYNE: But there is a common point that both
17 a board and a Cabinet bear collective responsibility?

18 LORD TURNBULL: They do.

19 SIR RODERIC LYNE: The Cabinet is accountable to Parliament
20 where the board is accountable to shareholders, but they
21 do both have a wider accountability for that collective
22 responsibility?

23 LORD TURNBULL: Yes, and as a board member you are
24 accountable also to anyone who wants to make a legal
25 claim against you. A prospectus is very often a quarry

1 of information which aggrieved shareholders can use. So
2 that accountability is very real and it is also very
3 collective.

4 SIR RODERIC LYNE: Thank you.

5 SIR JOHN CHILCOT: I am going to suggest a short break in
6 a moment, but I'd like to take up one supplementary from
7 Sir Roderic's earlier questions about the Attorney.

8 My reading of the Ministerial code is that it
9 requires the full text of a law officer's advice to be
10 circulated to Cabinet in written form, but in this case
11 because the Attorney General was present it is argued
12 that that was unnecessary.

13 However, we have had evidence that no member of the
14 Cabinet present pressed the Attorney about, for example,
15 the risks or uncertainties, and he did not volunteer
16 anything on those subjects.

17 Looking to lessons, is this a gap that ought to be
18 plugged for the perhaps rare event when an Attorney is
19 present to verbally present his advice which some have
20 seen and some have not?

21 LORD TURNBULL: I think you are arguing that he did not
22 present the full advice. I think he thought he was
23 presenting the full advice. That was his advice as of
24 17th March.

25 SIR JOHN CHILCOT: On the advice "yes/no", but nothing about

1 the risks, uncertainties. Was it a case that would
2 necessarily stand up in court? Well, you could put it
3 to the court, but you might not win. None of that came
4 out.

5 LORD TURNBULL: No. Well, that's the kind of thing that
6 where a Cabinet that had a tradition of Inquiry and
7 challenge, that it might well have raised, but
8 I suspect there was such a huge collective sigh of
9 relief, "Thank God for that. We are not in that mess".

10 SIR JOHN CHILCOT: Thank you. I think that leaves it
11 a little bit in the air. Let's have a short break and
12 come back in ten minutes.

13 (Short break)

14 SIR JOHN CHILCOT: I'll ask Baroness Prashar to pick up the
15 questions.

16 BARONESS USHA PRASHAR: Thank you very much indeed. Lord
17 Turnbull, I want to look at the whole question of the
18 machinery for the implementation of policy on Iraq.

19 Can we start with looking at the role of the
20 Overseas and Defence Secretariat, which was in the
21 Cabinet Office, and how did they ensure that the
22 decisions made in Number 10 were drawn to the attention
23 of the officials in the departments and those
24 responsible for implementing them and in checking that
25 they were being implemented, if they were coordinating?

1 LORD TURNBULL: Can I just clarify we are talking about the
2 pre-war but planning stage first and then what happens
3 once war is --

4 BARONESS USHA PRASHAR: Let's start with planning and then
5 we will look at the aftermath?

6 LORD TURNBULL: Okay. In the pre-hostilities phase I don't
7 think there was a problem. As Richard Wilson explained,
8 the Cabinet Office Secretariat is a coordinator.
9 The people they were coordinating with at that
10 stage were the people whose Ministers were represented
11 in the ad hoc group. So the problem at that stage was
12 not getting the decisions of this ad hoc group
13 implemented, because they were one and the same thing.

14 The issue is that as war begins to look likely
15 people want something more solid. One of the first
16 things that was created after I arrived was the creation
17 of an Ad Hoc Group on Iraq chaired by Desmond Bowen,
18 supported by Jim Drummond, George Ferguson, in which
19 a large number of departments were involved.

20 They looked at a whole series of issues, and if you
21 look through the issues -- they were listed in my
22 earlier testimony -- it's very much a case of looking at
23 what went wrong last time and how can we make sure it
24 doesn't happen again, like making sure that our airlines
25 get sufficient warning and don't have a plane stranded,

1 as happened in Kuwait. Very conscious of the risk of
2 environmental sabotage.

3 It was also very concerned about a possible
4 humanitarian crisis, again revisiting what happened in
5 the First Gulf War, where the Kurds were chased up into
6 the mountains and there was a large movement of people.

7 Treasury were involved. Transport were involved.
8 DFID involved to a greater extent than, in fact, their
9 Ministers were being involved.

10 BARONESS USHA PRASHAR: This is the planning pre-invasion?

11 LORD TURNBULL: This is a thing which is set up from
12 September onwards. There was a point at which DFID
13 didn't think they had adequate access to military
14 thinking and letters came to me and I helped sort it out
15 and connections were made. Also within the Foreign
16 Office the Iraq Planning Unit was set up.

17 Now universally if you ask people to look back on
18 that period they would say anything that was done,
19 almost anything could have been set up with profit
20 earlier than it was done.

21 BARONESS USHA PRASHAR: But the IPU was in the Foreign
22 Office?

23 LORD TURNBULL: It was in the Foreign Office, but with strong
24 links to the OD Secretariat. There was no sense in
25 which the Foreign Office was hanging on to this. I have

1 no sense that there was any difficulty about their
2 working.

3 BARONESS USHA PRASHAR: From your point of view do you think
4 there was proper coordination in terms of planning for
5 Iraq and the aftermath? Who was ensuring there was
6 adequate planning?

7 LORD TURNBULL: Are you talking about the big picture?

8 BARONESS USHA PRASHAR: Uh-huh.

9 LORD TURNBULL: The big picture is obviously no.

10 BARONESS USHA PRASHAR: Whose responsibility should that
11 have been?

12 LORD TURNBULL: Where did the lead come from? The lead
13 basically came from the United States. I mean, there
14 are a series of errors and misjudgments that are made.
15 One of them was we thought the Americans were taking
16 this more seriously than they were and were better
17 prepared. It was quite a shock to discover this, and around
18 about February Mr Blair gets very anxious about the
19 state of US preparation.

20 BARONESS USHA PRASHAR: Let me interrupt you there. We made
21 the assumption, or were told the Americans were taking
22 the lead. Did we kind of take that for granted and did
23 we not take steps to make sure we had more visibility?
24 Should that not have been the responsibility of the DOP?

25 LORD TURNBULL: Come February we started to get very

1 anxious --

2 BARONESS USHA PRASHAR: No, I am talking about before then?

3 LORD TURNBULL: No, I think that was the point at which our
4 concerns really surfaced. We had no leverage over the
5 decision to allocate this work to the Department of
6 Defence, which was not the decision we would have made.
7 We thought the State Department should have been in
8 charge of this work, but that was the American decision,
9 and it had fateful consequences.

10 BARONESS USHA PRASHAR: Once the IPU was created in the FCO
11 how did that change the relationship between the Cabinet
12 Office and other departments? Did that have any impact
13 on them? I mean, how was that coordinated between the
14 Cabinet Office, FCO and other Cabinet departments?

15 LORD TURNBULL: The Cabinet Office is a coordinator and
16 therefore welcomes the fact that someone is taking
17 charge of a particular bit of work and sharing it.
18 I don't think there were complaints about the IPU not
19 sharing that work.

20 BARONESS USHA PRASHAR: Can you just move on to the
21 post-conflict? Once the conflict began how were the
22 differing roles in which many other people were involved
23 actually coordinated? How did you ensure that the UK
24 effort on Iraq was effective?

25 LORD TURNBULL: Well, the major change at that point was

1 that another committee was established. This is the Ad
2 Hoc Committee on Iraq Reconstruction⁸, which is
3 a Ministerial committee, and that I think would have
4 been started in probably early April. That ran for
5 months and months, even, you know, years. That was the
6 principal instrument of coordination, normally operating
7 several times a week, chaired by the Foreign Secretary, but
8 sometimes by the Defence Secretary.

9 SIR JOHN CHILCOT: And supported by the OD Sec?

10 LORD TURNBULL: Oh, yes. Both of these groups, the Bowen
11 group at official level and the group on reconstruction,
12 were properly constituted bodies, the right people
13 supported by the Cabinet Office Secretariat.

14 BARONESS USHA PRASHAR: Do you think the Secretariat had the
15 right people and resources to carry out its role?

16 LORD TURNBULL: Yes, I do. Maybe this is a point where
17 I should say there are a lot of things we could have
18 done better and if we were doing them differently, we
19 would do them differently.

20 Do I believe that what we did was material to the
21 outcome? I would say absolutely not. The outcome was
22 determined by much bigger issues, and
23 our performance could have been a great deal better, and
24 it could have been a great deal worse and it wouldn't
25 have been material.

⁸ Secretariat footnote: It was actually the Ad Hoc Committee on Iraq Rehabilitation – see p56 below

1 The fundamental problem was quite quickly losing
2 control of security and that goes back to the
3 decision -- the invasion decision to have an invasion
4 lite and that the number of troops who fought the
5 battle into Baghdad were not quickly replaced by an even
6 larger number of troops to maintain security.

7 The fundamental reason why our efforts were not as
8 successful as we would have liked them to be is that
9 there was not the security necessary to make that work.
10 After a point people start joining ORHA and then the CPA
11 with a certain degree of enthusiasm and then they find they
12 can't get out of the Green Zone, that if you wanted to
13 visit -- as we know with tragic consequences -- if you
14 wanted to visit an official in the Ministry of Finance
15 you needed a personal protection team and even the
16 personal protection teams tragically were vulnerable.
17 That's the main issue.

18 The miscalculation -- the first miscalculation was
19 not having enough troops there to maintain security.

20 We expected there to be a functioning bureaucracy.
21 Clearly we thought that there were some people right at
22 the top who would have to be -- the pack of cards had
23 been decapitated, so to speak, but there we believed it
24 was an educated place, that it was a middle income
25 country, and we found that that bureaucracy didn't

1 exist, or fatefully by Bremer was also removed by the
2 de-Ba'athification decision.

3 We also expected, partly because we wanted it to
4 happen, we wanted the UN to be a major player. And
5 I think the insurgency, the Al Qaeda who attacked them,
6 that was a very, very clever decision on their part
7 because they succeeded in intimidating the UN and they
8 left, and that some of them we had counted on to help
9 us. We underestimated the extent of -- we knew there
10 would be Iranian meddling but didn't realise the extent
11 of it.

12 You quickly get to the point where we do quite a lot
13 of preparation and, as the Prime Minister or previous
14 Prime Minister said a couple of days ago, the things we
15 anticipated didn't happen.

16 BARONESS USHA PRASHAR: But can I just say the preparation
17 that was done was done for immediate crises, like
18 humanitarian crises and so on, but if you are looking in
19 the longer term about sort of medium term
20 reconstruction, you say we made certain assumptions
21 about effective bureaucracy and so on, and we have seen
22 evidence that indicates that was not really the case.

23 Then on the question of de-Ba'athification we were
24 consulted but no proper consideration was given to all
25 of that. Whose responsibility was it? You say you had

1 the machinery and you are quoted in Andrew Rawnsley's
2 book:

3 "Tony thought if you sent someone to reduce crime,
4 improve the health service, they would just go and do
5 it."

6 Obviously the Prime Minister was concerned making
7 those statements. Whose responsibility was it to make
8 sure that we had the machinery to deliver?

9 LORD TURNBULL: This was a collective decision of the
10 Cabinet Office and the government departments, but the
11 point you don't seem to be recognising is that whatever
12 they did, they were never going to succeed.

13 BARONESS USHA PRASHAR: That's true up to a point. What I
14 am saying is we could have mitigated some of the
15 consequences, because --

16 LORD TURNBULL: That's what I am disagreeing with you on.
17 I think that very quickly the security situation got out
18 of control. Our expectation -- our planning was around
19 two contingencies, neither of which occurred, which was
20 hunger and the movement of people. Neither of those.
21 You know, there wasn't a humanitarian crisis in that
22 sense. The issue was (a) security and (b) that our
23 efforts on reconstruction and getting electricity
24 working again were being sabotaged. That's where things
25 quickly broke down to the point

1 where our staff, they had a window of opportunity and in
2 that window, which was a few months, they achieved some
3 good things around democracy, getting councils together,
4 the currency exchange, but that window after a few
5 months closed really, and at that point that's where we
6 were unable to make progress.

7 BARONESS USHA PRASHAR: Okay. My final question really is
8 that Sir Kevin Tebbit in private evidence, which was
9 published last week, told the Inquiry that the
10 responsibility for planning for Phase IV after the
11 conflict was spread between departments and never got
12 properly crystallised.

13 Why do you think that was the case, that this never
14 got properly crystallised?

15 LORD TURNBULL: Well, the pre-invasion work --
16 I mean, there was no Ministerial apparatus set
17 up for that, but at the official level quite a lot of
18 work was done and then post the invasion the Iraq
19 construction, reconstruction group was set up chaired by
20 the Foreign Secretary.

21 Now who is responsible? The answer is lots of
22 departments had contributions to make. It wasn't
23 a single controlling mind in a sense on this. There was
24 coordination through the Cabinet Office but the
25 contribution was actually being made by a variety of

1 different departments.

2 BARONESS USHA PRASHAR: Do you think that coordination was
3 done effectively?

4 LORD TURNBULL: It was done -- it could have been done
5 better, but in my view was not material to the outcome.

6 BARONESS USHA PRASHAR: Thank you.

7 SIR JOHN CHILCOT: We are going to pursue this. I think
8 I will turn to Sir Martin Gilbert. Martin.

9 SIR MARTIN GILBERT: I would like now to turn now to the
10 immediate post-conflict phase. It was you who eleven
11 days after the conflict began on 31st March 2003
12 proposed to the Prime Minister the establishment of
13 an Ad Hoc Group on Iraqi -- in fact, Rehabilitation
14 was the word.

15 LORD TURNBULL: Yes.

16 SIR MARTIN GILBERT: Unlike the pre-conflict group which we
17 were discussing, this was set up as a formal Cabinet
18 group and properly minuted.

19 Can you tell us what lay behind your proposal?

20 LORD TURNBULL: I think it was obvious that that's what was
21 needed. Clearly we were an occupying
22 power. We had certain responsibilities and we could see
23 that once the immediate military phase had ended we had
24 to operate at certain levels, first of all to try and
25 restore order, not very successfully. Secondly, to

1 start bringing the Iraqi people together, because we
2 wanted quite quickly to have Iraqi groups that we could
3 be in dialogue with about governance and so on, and the
4 plan was gradually to hand over power.

5 So it was pretty much the obvious step.

6 SIR MARTIN GILBERT: Was it your intention that military as
7 well as civilian aspects of the policy should be covered
8 by the new group?

9 LORD TURNBULL: I think it was principally non-military
10 aspects, many of which were being implemented by
11 military personnel, if you can see the distinction.

12 SIR MARTIN GILBERT: What was your general impression of the
13 efficacy of the group in its early stages?

14 LORD TURNBULL: Well, it started with quite a lot of
15 enthusiasm, trying to mobilise people, trying to get
16 them placed in, first of all, ORHA and then the CPA, and
17 then quite quickly two levels of frustration. One was
18 the security situation was getting worse, and almost
19 a kind of civil -- this was not simply fighting, this
20 was sabotage and so on. Then the sense that ORHA, CPA had
21 not really got their act together and we can't -- there
22 is nothing to graft our effort on to.

23 There was a time in the first few months we thought
24 we could make this difference, but, as I say, it was
25 a window of opportunity, that was all.

1 SIR MARTIN GILBERT: The Prime Minister visited Iraq in late
2 May 2003 and on his return he held a meeting of
3 Ministers at Number 10 at which he called for Whitehall
4 to be put on a war footing for two to three months.

5 What did putting Whitehall on a war footing mean to
6 you?

7 LORD TURNBULL: He didn't really mean putting it on a war
8 footing. It meant a greater degree of effort, greater
9 degree of urgency, that departments should give priority
10 to this work, that staff should be found -- staff should
11 be deployed to it, whether working in Whitehall or going
12 to work in Iraq, but that it should be given priority.

13 SIR MARTIN GILBERT: Was this discussed by the Ad Hoc Group
14 on Rehabilitation?

15 LORD TURNBULL: I don't remember them discussing -- I didn't
16 normally attend the Ad Hoc Group, but I don't remember
17 them discussing the concept of it being on a war
18 footing. I think if you go through their papers you
19 will look at the issues day by day that they were
20 discussing. It is often quite mundane things like water
21 pumps and copper wire and things like that.

22 SIR MARTIN GILBERT: From your perspective did you have
23 an impression that some intensified footing had been
24 achieved?

25 LORD TURNBULL: Yes, yes, and some quite experienced people

1 were placed in -- some very experienced people were
2 placed in quite key positions, whether in ORHA or in
3 Basra.

4 SIR MARTIN GILBERT: In October 2003 officials developed
5 a UK/Iraq strategy and this was approved by the Ad Hoc
6 Group of Ministers, but it was approved out of
7 committee.

8 Would you have expected the Group to have discussed
9 such a strategy rather than dealing with it out of
10 committee?

11 LORD TURNBULL: Not necessarily. If they felt that the
12 officials had adequately worked together on it and
13 no-one was dissenting from it, I think it would be quite
14 usual to say, "Yes, this is approved. Get on and do
15 it". I don't think there were dissenting voices
16 requiring Ministerial discussion and reconciliation of
17 positions.

18 SIR MARTIN GILBERT: The day after the strategy was issued
19 the Cabinet Committee on Defence and Overseas Policy met
20 and discussed Iraq for the first time since 1999.
21 Papers provided for the Committee did not include the
22 strategy, and the minutes of the meeting don't mention
23 the strategy.

24 Can you explain this?

25 LORD TURNBULL: I think at that stage -- I haven't looked at

1 the papers, if there were any, the minutes of that
2 meeting, but I suspect it was around issues more of in
3 the military/security sphere rather than domestic issues
4 about getting democracy working, supplies of goods, the
5 rather more humdrum things, essential things which the
6 Ad Hoc Group were looking at.

7 SIR MARTIN GILBERT: If I can go from the specific to the
8 general, Sir Jeremy Greenstock, who served as our
9 Special Representative in Iraq from September 2003 to
10 March 2004, gave evidence that in his view the system
11 had pulled too much into the centre and that the centre
12 didn't have the resources to follow up everything.

13 In your view was responsibility for implementing our
14 policy towards Iraq delegated effectively to the
15 departments or was there this tendency to put too much
16 into the centre?

17 LORD TURNBULL: Also, if it is the same piece of paper, he
18 talks about a single controlling political mind. These
19 two seem to be rather the opposite. I don't think the
20 centre was dealing with or trying to implement the
21 particular issues. It was
22 a coordinating body. So I am not sure I agree that it
23 was over-centralised. I think some people are actually
24 arguing the opposite, that there was not enough central
25 direction. I think once we got into that phase of it,

1 away from the military politics, so to speak, which the
2 Prime Minister was still dealing with in DOP or whatever
3 Ministerial committee there was, I think it was quite
4 heavily delegated.

5 SIR MARTIN GILBERT: How were Ministers held to account for
6 the performance of their departments?

7 LORD TURNBULL: Well, the Prime Minister was still very
8 involved, particularly around this area of: are we
9 getting on top of security? Are we training enough
10 policemen? He was following this very, very closely
11 indeed. So he was then following what his colleagues
12 were doing.

13 SIR MARTIN GILBERT: My last question relates to the review
14 that you carried out, your general review of Cabinet
15 Committees in May 2005. Can you tell us what lay behind
16 this review?

17 LORD TURNBULL: I just go right back to the hearing this
18 morning really: these competing philosophies about
19 collective government and the speedier, less formal. This
20 was an attempt to try and get some greater formality and
21 structure. It wasn't specifically directed at Iraq. It
22 was a general review of the kind which would normally take
23 place after an election.

24 So the first thing that happened was about one-third
25 of the committees were sunsetted and their work either

1 wound up or merged into other things.

2 The second thing it did was particularly identify
3 those committees that the Prime Minister was meant to
4 chair, although there was a fatal lack of confidence, because
5 in each case a Deputy Chairman was nominated. It was as though
6 we were saying, "The Prime Minister should chair this, but
7 we know he is probably not going to, so we will have a Deputy
8 Chairman". But it was a rationalisation of the
9 committee structure. And what it shows is what very
10 clearly comes out of this morning's testimony: there was
11 a very strong view about how business should be
12 conducted, in a sense a very strong tide of running
13 against the conventional view.

14 Richard Wilson and I took our opportunities as they
15 arose, setting up the Ad Hoc Iraq Group, the Ad Hoc
16 Group on Rehabilitation, the War Cabinet and
17 then this, all the time trying to push back, with I have
18 to say fairly limited success.

19 SIR MARTIN GILBERT: In the Iraq aspect of your review you
20 recommended, and the Prime Minister agreed, that a new
21 subcommittee, DOP(I), should be set up in Iraq. Was
22 this simply a replacement of the Ad Hoc Group or did it
23 have a wider remit?

24 LORD TURNBULL: This was meant to create something like the
25 Ad Hoc Group that had been working all the time dealing

1 with intelligence matters, and going back to complaints
2 from the Intelligence and Security Committee that this
3 aspect of Ministerial work would not be conducted
4 through a formal channel. So that was one of the ones
5 we were trying to breathe some new life into. What
6 I can't remember is how often it did meet. You may know
7 the answer.

8 SIR MARTIN GILBERT: I was going to ask you as my final
9 point on this did DOP(I) work effectively for the
10 remainder of your time as Cabinet Secretary? Are you
11 aware of that?

12 LORD TURNBULL: Well, all this was done after the election
13 of 2005, which I think was a May election, and I had
14 gone by July. So I can't judge whether it was
15 a success. I mean, I think -- I suspect this
16 rehabilitation of the old classical model didn't really
17 make any grounds until this last election, where the
18 coalition, partly out of necessity has revived this, and
19 helped by publication of what's called the Cabinet
20 Manual, which has a section in it restating the
21 principles, the old Mandarin death rattle again. So
22 that's when some ground was regained. I don't think
23 a lot of ground was regained between 2005 and this
24 election.

25 SIR JOHN CHILCOT: I have one final run of questions myself,

1 and then I will ask my colleagues if they have any final
2 points to put, and then invite your reflections.

3 My question is one of particular interest to this
4 Inquiry, as we are a lessons learned exercise.

5 We understand that Desmond Bowen, when he gave
6 evidence to us, told us that in June 2003 the Cabinet
7 Office began work on a lessons learned exercise up to
8 and including the invasion, though not afterwards
9 obviously. Were you au fait with that exercise?

10 LORD TURNBULL: I knew it was going on, and I was asked the
11 identical question when I came a year ago.

12 SIR JOHN CHILCOT: Yes.

13 LORD TURNBULL: I think the answer I gave was he was quietly
14 told this was not the right time to pursue it and it was
15 dropped.

16 SIR JOHN CHILCOT: Yes. We are interested to know if we can
17 get any further into the reasons for that. This was
18 from Number 10. It was an indication that it was not
19 welcome.

20 LORD TURNBULL: Yes.

21 SIR JOHN CHILCOT: Not welcome at that time? Not welcome
22 ever?

23 LORD TURNBULL: Well, I think there were other Inquiries
24 going on. By this time we are into 2003. We are then
25 into Hutton, Butler and so on. So it rather got lost in

1 these other issues and a sense of, which relates to
2 the timing of this Inquiry, the time to look at all this
3 is when we really got to the end of it.

4 SIR JOHN CHILCOT: Certainly no such exercise was launched
5 or relaunched before your own retirement?

6 LORD TURNBULL: No.

7 SIR JOHN CHILCOT: Okay. Let me turn to my colleagues and
8 ask.

9 SIR LAWRENCE FREEDMAN: Just a couple, if I may.

10 Just picking up on something that you said in answer
11 to some of Sir Martin's questions, why do you think we
12 were better placed to restore law and order immediately
13 after the invasion? Do you recall the importance of
14 this issue being debated before the war took place in
15 the context of what would be British responsibilities,
16 because one way or the other we were expected to be
17 responsible for a sector?

18 LORD TURNBULL: Well, we knew we were going to become
19 responsible for the southern sector, the largely Shia
20 area. I think we thought we were liberating the Shia
21 and therefore they might not like us much, but didn't
22 really expect them to start attacking us. So that risk
23 I think was underestimated.

24 We also underestimated the position on Iran.
25 I think people thought it wasn't going to be very

1 aggressive, but, in fact, it turned out to be -- a bit
2 later on its support of the Muqtada al-Sadr revolt. And
3 we didn't anticipate the AQ influence, which turned out
4 to be very significant in the really selective way in
5 which they worked.

6 So we didn't think it was going to be
7 anything like as difficult as it turned out to be.

8 SIR LAWRENCE FREEDMAN: You don't recall anybody suggesting
9 that it might be and we at least plan for the worst
10 case?

11 LORD TURNBULL: Well, there were discussions, but, you know,
12 this was the judgment. The central judgment was you
13 could expect some trouble from Iran, but the degree of
14 meddling was far greater -- became -- it wasn't
15 initially -- became far greater than we ever expected.

16 SIR LAWRENCE FREEDMAN: Let me just ask you a question about
17 your own role. You were Cabinet Secretary at a time
18 when Iraq was one of the most dominant issues on the
19 policy agenda. How much was that reflected in your own
20 bilaterals with the Prime Minister?

21 LORD TURNBULL: Not a lot actually. He was working with in a
22 sense part of my team, ie very closely with David Manning.
23 I don't think he thought it was necessary to go through
24 all these things again with me, so he chose his time
25 when talking with me was mainly on the domestic --

1 SIR LAWRENCE FREEDMAN: So he was not seeking your advice on
2 questions of substance or process about how to handle
3 this?

4 LORD TURNBULL: No.

5 SIR LAWRENCE FREEDMAN: You have made some quite trenchant
6 criticisms of New Labour's approach to government.
7 Presumably you had seen quite a bit of this already from
8 your vantage point in the Treasury before you became
9 Cabinet Secretary?

10 LORD TURNBULL: Yes.

11 SIR LAWRENCE FREEDMAN: As you became Cabinet Secretary I am
12 just wondering did you discuss with the Prime Minister
13 these different sorts of models, issues of collective
14 responsibility, how they might be handled?

15 LORD TURNBULL: I would say I took my opportunities as they
16 arose. I didn't go and say -- I didn't take this issue
17 head on for reasons that Richard Wilson gave. It wasn't
18 going to be productive. He had made no progress on it
19 and I didn't think I was going to either.

20 SIR LAWRENCE FREEDMAN: Though you were coming sort of fresh
21 into the job. So given -- you have said that you took
22 opportunities and tried to push back in ways that were
23 not always successful. In retrospect do you think there
24 were other things that might have been done to mitigate
25 the adverse effect to encourage more appropriate

1 procedures?

2 LORD TURNBULL: It was pretty entrenched. What I hadn't
3 realised until I started doing some research in books
4 like "A Journey" and "The New Machiavelli" which have only
5 just come out. But they are telling us what they thought
6 at the time, whereas the Mandelson/Liddle book came out
7 in 1996. So it told us what to expect. Indeed that is
8 what we got and I think all the three Cabinet
9 Secretaries, Robin Butler, Richard Wilson, and myself
10 all felt we were pushing against an adverse tide, but we
11 tried to keep as much as possible of the classical model
12 going and over large swathes of Cabinet Committee work
13 we succeeded in doing so, but Iraq was the area where we
14 had least effect.

15 SIR LAWRENCE FREEDMAN: Just following up something Lord
16 Wilson said this morning, did you feel in this that you
17 had any allies in the Cabinet itself or were they still
18 largely content to go along with the lead taken by the
19 Prime Minister?

20 LORD TURNBULL: On the use of Cabinet Committees I had very
21 strong support from John Prescott, the Deputy Prime
22 Minister. He believed in the classic model, was very
23 happy working it. Again this appears in my original
24 testimony. So there were large areas of domestic policy
25 where people were happy for this to work, but in this

1 particular Iraq project it was made very clear that this
2 was going to be treated by the New Labour model.

3 SIR LAWRENCE FREEDMAN: Thank you.

4 SIR JOHN CHILCOT: Well, I have, Lord Turnbull, a long
5 term -- Martin. I beg your pardon.

6 SIR MARTIN GILBERT: I just have one question. In the
7 run-up to the conflict the Prime Minister held
8 substantive meetings with senior Ministers and with
9 officials on 1st, 5th, 10th and 12th March, not one of
10 which was minuted. How did this affect your ability as
11 Cabinet Secretary to monitor and, indeed, to sustain the
12 policy?

13 LORD TURNBULL: Well, I think these were meetings where he
14 was basically trying to build his own coalition and make
15 sure they were all on side. So they were, in a sense,
16 helpful in a sense. They were trying to, I would say,
17 belatedly bring some Cabinet solidarity.

18 SIR MARTIN GILBERT: For you not to know what the actual
19 discussions were, whether particular discussions were
20 made what direction it was going?

21 LORD TURNBULL: I am not sure particular decisions emerged
22 from these meetings. These were getting people to sign
23 up to the course of action: Are you really on board
24 kind of meetings.

25 SIR MARTIN GILBERT: So you were informed of this in general

1 terms?

2 LORD TURNBULL: I knew he was doing a lot of work to make
3 sure that people were on side, but who he met on
4 a particular day and what was actually said, no,
5 I didn't -- that wasn't, as you said, minuted, wasn't
6 circulated.

7 SIR JOHN CHILCOT: Well, I should like to ask you whether
8 you have any further and final reflections in addition
9 to those you gave us on the first occasion and, indeed,
10 throughout the session?

11 LORD TURNBULL: Well, I think, in preparing for the second
12 hearing, the thing I have become more aware of is what we
13 talked about at the start, which was the mismatch
14 between where the Prime Minister's thinking was and how
15 much of that was shared with his colleagues, and indeed
16 the claim that they knew the score. I shook my head
17 when I heard that.

18 The way in which the key strategic meetings, and
19 I have just described the three levels: is it Iraq; how
20 to tackle Iraq; and what our contribution is; and the
21 extent to which by the summer he had largely made up his
22 mind at a time when his colleagues were still a long way
23 behind. I think that mismatch has really become more
24 obvious to me.

25 The other is this whole question of how the

1 assumptions we made about the post-war, what the
2 problems would be, how easy they would be to deal with,
3 what the Americans would be contributing and our ability
4 to influence them, this I would say doomed our efforts
5 pretty much from the start. We didn't find the
6 situation that we expected to find and the loss of
7 security and the loss of a working partner proved to be
8 very, very difficult to get past.

9 SIR JOHN CHILCOT: Thank you. Your evidence, and indeed,
10 Lord Wilson's this morning brought out the degree of
11 resistance to wider collective Cabinet discussion of the
12 Iraq project as it went forward.

13 Is the explanation that we have heard earlier today
14 that it was in the former Prime Minister's nature to
15 move from one big challenge to the next and that the big
16 challenge at that particular time, 2002/3, was Iraq and
17 it was his personal project, is that part of
18 an explanation?

19 LORD TURNBULL: I think it is the explanation. You talked
20 to him last week and quite early on, very
21 early on, even as late as 2001, he is already thinking
22 about Iraq. It is not that George Bush is dragging him
23 along. He has identified the risk that Iraq -- in his
24 own mind I think he was wrong -- but he identified this
25 risk, partly he was misled by or misread intelligence --

1 a combination of the two -- that this WMD programme was
2 not active, detailed and growing, but in abeyance and
3 its weakness was being disguised. That's what we
4 effectively know from the Iraq Survey Group.

5 Nevertheless, he had formed this view that you
6 couldn't sit back and wait for a rogue state, weapons of
7 mass destruction, and terrorist groups somehow to form
8 an alliance and then attack you at a time of their
9 choosing and you had to go out and deal with it.

10 Now he had followed this philosophy successfully
11 twice before, and I think he thought he could do it
12 again but with even less backing from the UN he had
13 pulled off the Kosovo -- rescued Kosovo as a country and
14 safeguarded it and deposed Milosevic. He could do the
15 same again.

16 SIR JOHN CHILCOT: Thank you. In that case I shall bring
17 this session to a close. Our thanks to our witness,
18 Lord Turnbull, and to those of you who have been here
19 this afternoon.

20 We resume again at 2 o'clock tomorrow afternoon,
21 when our witness will be Sir David Richmond, a senior
22 British official in the CPA, and then Director General
23 for Defence and Intelligence in the Foreign &
24 Commonwealth Office.

25 That closes the afternoon. Thank you.

1 (4.05 pm)

2 (Hearing adjourned)

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