

1 (2.00 pm)

2 SIR JOHN SCARLETT

3 THE CHAIRMAN: Good afternoon, ladies and gentlemen. Good  
4 afternoon, Sir John. A fuller house than we have been  
5 having.

6 Our witness this afternoon is Sir John Scarlett, who  
7 was chairman of the Joint Intelligence Committee from  
8 2001 to 2004.

9 Many of you will know that Sir John went on to be  
10 the head of the Secret Intelligence Service, a job from  
11 which he has recently retired and we will not be  
12 covering his work in that role this afternoon.

13 The objective for this session is about the  
14 intelligence assessment that was available about Iraq in  
15 the period before and up to military action started.

16 Two previous inquiries, the Hutton Inquiry in 2003  
17 and the Butler Inquiry, of which I was a member, in  
18 2004, have gone over much of this ground, but both  
19 concentrated on weapons of mass destruction and we need  
20 to look at other aspects of intelligence as well. Was  
21 the intelligence community being asked and answering  
22 other crucial questions too that might have helped us to  
23 know what to expect during and after military action.

24 We will pick up some points from the evidence given  
25 by Sir William Ehrman and Tim Dowse on 25 November.

1           There will, of course, be limits to detail we can cover  
2           in this public session to avoid damaging national  
3           security. We will, therefore, be holding further  
4           sessions on this subject in private.

5           I notice that Adam Holloway MP is reported today as  
6           having produced a paper on British involvement in Iran.  
7           There may be points in that which will be relevant to  
8           our inquiries, but it is not a matter for this session.

9           If we conclude that more generally there is evidence  
10          that can be brought out in public without endangering  
11          national security, we would then arrange further public  
12          sessions next year.

13          Now, we recognise that witnesses are giving evidence  
14          based on their recollection of events, and we are of  
15          course checking what we hear against the papers to which  
16          we have access and which with we are still receiving.

17          To conclude this opening, I remind every witness  
18          that they will later be asked to sign a transcript of  
19          the evidence to the effect that the evidence they have  
20          given is truthful, fair and accurate.

21          And with that preliminary, perhaps, Sir John,  
22          I could start by asking you about the role of the Joint  
23          Intelligence Committee and how it works and how does it  
24          go about its business. Could you say something on that?

25   SIR JOHN SCARLETT: Mr Chairman, yes, of course.

1           The JIC, Joint Intelligence Committee, is based in  
2           the Cabinet Office and it is a committee which meets  
3           weekly. It has the responsibility for presenting  
4           coordinated intelligence assessments to government at  
5           the most senior level -- Prime Minister, senior  
6           ministers and officials dealing with policy and  
7           decision-making -- and, of course, the subject matter is  
8           almost entirely on -- and has been for many years --  
9           defence, security, foreign affairs.

10           It has got a long history, started in the 1930s,  
11           moved from the Cabinet Office from the Chiefs of Staff  
12           in 1957, and since 1968 it has been supported by  
13           Assessment Staff, a small support analytical team.

14           Its key feature is that it brings together those who  
15           are responsible for intelligence collection,  
16           intelligence assessment and policy-making, and it brings  
17           them together in that sort of forum on a regular basis.

18           If I can perhaps just say quickly about the  
19           structure, output and tasking and that will give you the  
20           overall picture, if that's all right.

21   THE CHAIRMAN: Yes, do.

22   SIR JOHN SCARLETT: Of course it is an established body, to  
23           put it mildly, but that is not to say the arrangements  
24           don't change from time to time.

25           What I'm talking about is the Committee, as it

1           functioned when I was in charge of it, which is  
2           September 2001 until July 2004 -- at that time it was  
3           composed of senior officials from the major departments  
4           dealing with those issues that I have just described:  
5           The Foreign Office, MoD, Home Office, Cabinet Office. I  
6           could go you on. But including the Chief of Defence  
7           Intelligence, Deputy Chief Defence Intelligence and then  
8           the heads of three intelligence agencies, SIS, the  
9           Security Service and GCHQ.

10           As Chairman of the Committee at that time in 2002,  
11           from mid 2002, I was answerable for the efficient  
12           functioning of the Committee and the Secretariat of  
13           which I was head, to Sir David Omand who was the  
14           newly-installed Security and Intelligence Coordinator.  
15           But I was responsible for the presentation of  
16           intelligence assessment to government, and that's how we  
17           divided the responsibilities up.

18           I mentioned Assessment Staff. It is a key body and  
19           comes up frequently here, about 25 people, usually on  
20           secondment two to three years, from other government  
21           departments. The Chief of Assessment Staff was a full  
22           member of the JIC, five deputies and five teams with an  
23           assessment staff covering a very wide range of issues,  
24           and the Secretariat to support the activity of the  
25           Committee, do minutes, distribution of reports and

1 so on.

2 In terms of output, its main product, if you like to  
3 use that word, are JIC assessments dealing with  
4 long-term or short-term and immediate issues, depending  
5 on what the tasking is. And in my time we were doing  
6 approximately three of those a week, those assessments.

7 They would be drafted by the relevant Assessments  
8 Staff team, circulated around the departments  
9 represented on the JIC, brought back to a Current  
10 Intelligence Group meeting at sort of senior working  
11 level, where they were discussed and made ready as  
12 drafts for discussion at the JIC. And at a weekly  
13 meeting of the JIC they would be discussed.

14 Those discussions were never formulaic, they were  
15 always substantial, often robust and I can hardly think  
16 of an occasion when something went through on the nod.  
17 There was always significant discussion, and from time  
18 to time assessments would be sent back for redrafting,  
19 recirculation, either coming back to the Committee or  
20 being agreed out of Committee.

21 The assessments were all source, by that I mean  
22 based on diplomatic reporting, open source material and  
23 secret intelligence. That is their point. And they are  
24 distributed automatically either from the Cabinet Office  
25 or through departments to the offices of Prime Minister,

1 Foreign Secretary, Defence Secretary, Home Secretary,  
2 major departments involved with policy-making. And then  
3 widely -- I mean, across a relevant government  
4 departments, Chiefs of Staff and so on.

5 Assessment is not the only product -- it is  
6 important to say this -- particularly in times of crisis  
7 and conflict, and we had quite a few of those at that  
8 time because this was the time when, of course,  
9 post-9/11, international terrorism was very heavily on  
10 the agenda, there had been the campaign in Afghanistan  
11 and then, of course, the aftermath, as it was at that  
12 time. In Afghanistan throughout the middle of 2002  
13 there was the major stand-off between India and  
14 Pakistan, and then Iraq built up.

15 But throughout times of, you know, great tension and  
16 crisis and particularly conflict, there was heavy use of  
17 intelligence updates which sometimes became issued on  
18 a daily basis and were a product of Assessments Staff,  
19 but all the same, consulting with JIC member  
20 departments.

21 THE CHAIRMAN: Could I just interject? Did the updates  
22 carry the full authority of a JIC assessment or are they  
23 in a distinctive category?

24 SIR JOHN SCARLETT: They were not discussed at the JIC and,  
25 of course, couldn't be if they were being done on

1 a daily basis. So at the top of an update it would say  
2 this is issued on the authority of Assessments Staff,  
3 but I think the wording was "acting in consultation with  
4 other departments", and they go out on a daily basis.  
5 And, of course, if subsequently people were unhappy with  
6 something which had been issued, they could say so and  
7 a correction or record put out, although I never  
8 remember that happening.

9 THE CHAIRMAN: And just as a second postscript on that, as  
10 updates come in, they will eventually find reflection in  
11 the next assessment on the same subject?

12 SIR JOHN SCARLETT: Yes. And often you find the same points  
13 coming up. But, of course, if updates were going out on  
14 a daily basis, as they were from the beginning of  
15 March 2003, to mid May, for example, then there was an  
16 awful lot of detailed material.

17 The assessments, the classic JIC product, have  
18 certain sorts of distinguishing features. Two, I think,  
19 I would bring out. The first is that by long tradition  
20 they seek to achieve an agreed view on a particular  
21 issue. There is no tradition -- there was no tradition  
22 and there is no tradition of dissenting minority  
23 judgments being formally recorded in the way that  
24 happens in the United States.

25 If it is not possible to reached an agreed view,

1 then there won't be an agreed view and the reasons for  
2 it may be stated, that for this reason, that reason,  
3 uncertainties of intelligence or whatever.

4 The second point is that the people drafting the  
5 assessments, the Assessments Staff and, of course, the  
6 members of the JIC themselves, as a body, you are  
7 dealing there with people who have access to all  
8 available intelligence on whatever issue is being  
9 discussed.

10 Now, finally, in terms of tasking, the tasking of  
11 the JIC took place, takes place, against the backdrop of  
12 what is called the Requirements and Priorities round.  
13 That sets the national intelligence priorities for  
14 everybody involved in intelligence collection and  
15 assessment.

16 THE CHAIRMAN: On an annual footing?

17 SIR JOHN SCARLETT: Annual. Well, it is reviewed every year  
18 and that process of review is coordinated by the Chief  
19 of Assessments Staff and Assessments Staff officers and  
20 analysts. But it is done on an interdepartmental basis.  
21 It is a rigorous process and the draft of the  
22 requirements and priorities list is brought to the JIC  
23 for the JIC's approval, and it is submitted for final  
24 approval to the senior ministers who form the  
25 Committee -- or at this time formed the Committee of

1 Security and Intelligence: the Prime Minister, the  
2 Foreign Secretary, the Home Secretary and other senior  
3 ministers.

4 THE CHAIRMAN: Is it right to suppose that there is a degree  
5 of flexibility? We have heard from other witnesses in  
6 a broader sense that Iraq rose from below number 20 in  
7 the priority list to number 1 in quite short order in  
8 2002/2003. I imagine the priorities list is capable of  
9 that sort of adjustment in year, if events require it.

10 SIR JOHN SCARLETT: Yes. Of course, the trouble with  
11 a rigorous system like that is that you run the risk of  
12 being inflexible and being set on certain tramlines. So  
13 the recognition for flexibility is built in -- I will  
14 come back to that point in a second, if I may, because  
15 it is relevant to the way in which the work programme is  
16 formulated, because underneath that requirements and  
17 priorities process there is, every four months,  
18 constituted the medium term work programme where the  
19 actual subject matters for the papers are agreed,  
20 because of course it takes time to write these papers,  
21 usually about three weeks, and you have to have long-term  
22 planning. So you have to have some long-term planning,  
23 medium-term planning. Equally, everybody recognises  
24 that you have to be flexible and be ready to take  
25 short-term priorities.

1 I have to say I don't recognise the point about Iraq  
2 being about number 20 --

3 THE CHAIRMAN: That was a development earlier.

4 SIR JOHN SCARLETT: Maybe. In our context, Iraq was, you  
5 know, in almost all respects a top priority across all  
6 issues throughout the period I'm talking about. There  
7 are other top priorities too, as I have tried to  
8 explain.

9 Finally, I suppose my final point is who sponsors  
10 these assessments and who decided -- we were talking  
11 about the medium-term work programme, where it is an  
12 interdepartmental process. But every paper, you know,  
13 effectively tries to answer a set of questions, and  
14 those questions are put by a sponsoring department.

15 So the great majority of cases, the papers are  
16 sponsored by the Foreign Office or the Defence Ministry.

17 THE CHAIRMAN: The great majority, but self-tasking remains  
18 a possibility if the JIC --

19 SIR JOHN SCARLETT: Yes, the JIC is capable and certainly  
20 able to task itself, and that from time to time does  
21 happen. Of course, the Cabinet Office also can be  
22 a tasking department, but any member department can be  
23 a tasking department.

24 THE CHAIRMAN: One other question on this structure and  
25 process set of issues: how far does the JIC's work

1 programme, reflecting as it does the priorities  
2 requirements, itself influence or play into the  
3 resourcing of the intelligence agencies and where they  
4 put their own effort?

5 SIR JOHN SCARLETT: Well, of course, the resource allocation  
6 within the intelligence agencies has to take close  
7 attention and pay close attention to the priorities  
8 listed under requirements and priorities, and there are  
9 certain priority targets which the collection agencies  
10 are effectively obliged to pursue if they are a very  
11 high priority to the list.

12 But there is a recognition in the system that you  
13 can't be too rigid in this respect, and at the end of  
14 the day exactly where resources are allocated, that has  
15 to be under the authority of the heads of the agencies  
16 themselves because there isn't a simple equation between  
17 the importance of priority and resources required to  
18 actually pursue it operationally.

19 THE CHAIRMAN: It is tempting to ask which side of that  
20 relationship you most enjoyed being on, whether it was  
21 chairman or head of an agency, but let's leave that.

22 I would like to turn now to the interface between  
23 intelligence, JIC assessment essentially, and  
24 policy-making. First of all, the JIC and its Chairman  
25 interface directly with ministers. Can you say a bit

1 about how that actually happens?

2 SIR JOHN SCARLETT: Well, of course, it is the case that  
3 almost by definition, as I have just described, the JIC  
4 is designed to be at the interface between intelligence  
5 and policy. The Chairman of the JIC, therefore, plays  
6 a key role in that respect. Of course, the Chairman of  
7 the JIC has authority, because he is Chairman of the  
8 JIC, and his job or her job is to represent the views,  
9 which are very thoroughly considered, of the JIC itself.  
10 He doesn't have a separate status, separate from the  
11 Committee itself. He carries his authority, because he  
12 is carrying the authority of the Committee and he is  
13 representing those views, and then he has interface with  
14 senior ministers or the Prime Minister within the  
15 structures and channels which exist for that interface  
16 to take place.

17 I can explain that a bit further, if you like.

18 THE CHAIRMAN: I think it would be helpful just to go  
19 a little further into that. It is not merely a matter  
20 of a flow of paper up and down or there are face-to-face  
21 meetings, there are discussions?

22 SIR JOHN SCARLETT: Well, yes -- I mean, the main channels  
23 that I would describe -- again, I'm talking of my own  
24 time here, it's changed a bit since -- the most formal  
25 channel down which presentations are made would be at

1 meetings of what was then called DOP, Defence and  
2 Overseas Policy Committee of the Cabinet chaired by the  
3 Prime Minister, which holds, you know, its regular  
4 meetings, or its meetings, as it decides to hold them,  
5 taking a range of issues.

6 At the particular time we are talking about, the DOP  
7 did meet to discuss Iraq, it met to discuss  
8 international terrorism, it met to discuss terrorism  
9 threats to the UK and some regional issues around the  
10 Middle East and south Asia.

11 When that happened and there were senior ministers  
12 present, the Prime Minister and the chair, then each  
13 meeting would begin with a presentation of the latest  
14 intelligence picture on the subject concerned by the JIC  
15 Chairman. So that was quite a formal moment, where the  
16 views of the intelligence community considered and so on  
17 were represented by the JIC Chairman, and it is quite  
18 a good example of the way the system should work.

19 In addition, of course, at any moments of crisis --  
20 and I talked about daily updates -- in moments of actual  
21 conflict -- and there were two of those in my time, the  
22 Afghanistan conflict and the Iraq conflict -- there is  
23 the equivalent of the War Cabinet. I mean, the sort of  
24 jargon around the Cabinet was we talked about the War  
25 Cabinet. I'm not sure it formally had that title.

1 THE CHAIRMAN: But there was an inner group of senior  
2 ministers who met on a regular footing?

3 SIR JOHN SCARLETT: And in a way, it was a conflict, at the  
4 time, version of DOP. And that met -- I think I'm right  
5 in saying from just before the start of the conflict  
6 through to the end, but certainly from about mid-March  
7 that met every day in the morning, and the JIC Chairman,  
8 I, attended those meetings. And, again, they routinely  
9 began with an update of the intelligence picture from  
10 the JIC Chairman.

11 THE CHAIRMAN: I think the point to register, which you have  
12 made, is that there is no, as it were, intervening veil  
13 or distorting mechanism between the output of the JIC  
14 through its Chairman to the senior ministers in times  
15 like those.

16 SIR JOHN SCARLETT: No.

17 THE CHAIRMAN: It is a direct relationship.

18 Could you say just a little about the more routine  
19 flow of business and how the information works its way  
20 around ministers and senior officials?

21 SIR JOHN SCARLETT: Well, of course, again, from the point  
22 of view of the JIC, it has its formal product, its  
23 assessments and the updates, and occasionally also  
24 something called a JIC note which is not easy to  
25 distinguish from an assessment, but it does exist as

1 well.

2           There is one other mechanism whereby the Assessments  
3 Staff and the JIC Chairman makes intelligence points, if  
4 you like, to ministers and particularly to the  
5 Prime Minister, which will be through papers submitted  
6 to, in my case, almost always the foreign policy  
7 adviser, Sir David Manning. For example, in the run-up  
8 to the conflict in Iraq I sent him a note drawing  
9 attention to the JIC papers which had just been taken on  
10 the likely impact of conflict in the north of Iraq or  
11 the south of Iraq. So I was drawing that to his  
12 attention.

13           In addition, if he was -- the Prime Minister was  
14 meeting a foreign colleague of some kind, there might be  
15 a range of issues they were going to discuss together.  
16 I would put in a summary of the JIC judgments around  
17 these issues, or it might be that David Manning would  
18 have some particular questions which related to an  
19 intelligence issue of some kind or another, and one  
20 would say this is what the intelligence is saying, this  
21 is what the JIC has recently said.

22           That's from the JIC point of view, but that's not  
23 the only way in which intelligence issues get covered  
24 with ministers.

25 THE CHAIRMAN: Yes. I was going to ask you about -- whether

1       this is a one-way flow, assessed intelligence, JIC  
2       policy into the policy machinery at the highest level or  
3       is there an interaction, policy starts getting formed or  
4       at least influenced by intelligence, you become aware of  
5       that? If there was, as it were, a skew or an addition  
6       or a subtraction that needed to be made, would you have  
7       the opportunity to register that?

8       SIR JOHN SCARLETT: Yes, almost always that would be done --  
9       it would either be done, let's say if it was an ad hoc  
10      group meeting around a particular subject, and, again,  
11      the JIC Chairman or his representative would be present  
12      at such an ad hoc group and such matters would be done  
13      there, but they would be done at senior official level.  
14      Or if I saw something happening or we saw something  
15      happening which didn't look right or something was being  
16      said which we didn't think was quite right, then one  
17      could always go back but it would be to, in this case,  
18      David Manning, "You need to be aware of this, you need  
19      to be aware of that, I want the Prime Minister to be  
20      aware of this or aware of that".

21      THE CHAIRMAN: One last point by way of background and  
22      introduction, intelligence starts with tasking, but it  
23      goes into collection. Then there has to be validation  
24      and analysis of it before the assessment emerges at the  
25      end of the pipeline.

1           There have been suggestions over time that sometimes  
2           analysis is given too little importance in the whole  
3           process, sometimes perhaps that it is missed all  
4           altogether. Is this something that does happen or is it  
5           something that changes through time, or is there  
6           something so rooted and grooved in the whole history of  
7           the set-up that it is in balance almost automatically?

8   SIR JOHN SCARLETT: No system is perfect and the  
9           relationship between collection, dissemination, comment,  
10          analysis, assessment and then policy-making is, of  
11          course, quite a subtle one.

12          The way the system in the UK has worked -- I think  
13          was working at this time and, broadly speaking,  
14          continues to work -- is that a report will be issued by  
15          the collection agency, there is the possibility for that  
16          collection agency to make comment on the report and very  
17          often put it into context compared with what other  
18          reports have said on a given subject. Then that will be  
19          issued to quite a wide range of customers.

20          Now, those customers will include profession  
21          analysts: analysts in the Foreign Office, analysts  
22          particularly in the defence ministry, particularly of  
23          course in the Defence Intelligence Staff who, as you  
24          know, are an extremely important body of analysts and  
25          a very big consumer of detailed intelligence reports.

1 And then they play their role in the current  
2 intelligence groups which I was talking about and the  
3 formulation of the wider assessments.

4 But it is the job of assessments and assessments  
5 staff to bring all that work together -- the raw  
6 intelligence, the comment from the collection agencies,  
7 the contribution from the profession analysts -- and put  
8 it into the big picture assessment which is what does  
9 all this actually mean. And that's the difference, of  
10 course, if one tries to get it right, between assessment  
11 and analysis.

12 THE CHAIRMAN: That's the general. Let's move more to the  
13 particular, and can I ask Sir Roderic Lyne to pick up  
14 the questions?

15 SIR RODERIC LYNE: Sir John, you have said that the Cabinet  
16 Committee, DOP, did meet to discuss Iraq in the period  
17 running up to the war. Can you recall roughly how often  
18 from September 2001 to early 2003 the Cabinet Committee  
19 actually met and discussed Iraq?

20 SIR JOHN SCARLETT: The DOP? No, I can't, I am afraid. Of  
21 course, there were meetings such as the one in  
22 July 2002, with which discussed Iraq and it has been  
23 discussed subsequently. I can't give you a number as to  
24 how many times it met.

25 SIR RODERIC LYNE: But it wasn't particularly frequent?

1 SIR JOHN SCARLETT: As a formal meeting of the DOP, no.

2 SIR RODERIC LYNE: Turning on the JIC's assessments, you  
3 said that Iraq was in almost all respects a top priority  
4 for the JIC. The Butler Report noted that Iraq's  
5 weapons of mass destruction were designated as a JIC  
6 first order of priority, while Iraq's political issues  
7 were third order of priority.

8 How low a priority is third order and what lay  
9 behind this distinction?

10 SIR JOHN SCARLETT: Well, the research I have done, you  
11 know, while preparing for this session here has shown me  
12 that, or has suggested to me that it was a priority 1  
13 across a range of political issues as well. So that's  
14 a slight discrepancy which I can't comment on further.

15 Certainly as far as the work of the JIC was  
16 concerned, in 2002 and in 2003, Iraq in all respects was  
17 a very high priority, and I can explain that further.

18 The situation before early 2002/2001 maybe -- I am  
19 afraid I'm not completely sure as to where it was in the  
20 priority list.

21 SIR RODERIC LYNE: So can you say a bit more, looking at  
22 2002/2003, about which aspects of Iraq the JIC was  
23 addressing?

24 SIR JOHN SCARLETT: This is, I think, an important point  
25 because, of course, the work of the JIC in this respect

1       took the form first of all of doing the status reports  
2       on the WMD programmes, and that was a sort of backdrop  
3       feature of the work of the Committee.

4             But as it became clear that a major crisis and  
5       really difficult situation was developing around Iraq  
6       during 2002, it became clear that a range of other  
7       assessment requirements, if you like, needed to be  
8       tackled.

9             So in the spring and early summer, we developed  
10       a programme of work which sought to answer certain broad  
11       questions or themes and make sure that we were  
12       monitoring these through the assessment process, during  
13       this period.

14            So the subjects that we were covering were what we  
15       called regime cohesion; in other words, really how  
16       stable was the Saddam regime, what did it rely upon, you  
17       know, what were the foundations for its strength or  
18       weaknesses, where relevant, and how would it stand up to  
19       the kind of pressure which seemed likely to be applied  
20       to it? That was clearly a continuing process of  
21       watching that.

22            What kind of diplomatic and military options did  
23       Saddam have. Faced with this pressure, how was he going  
24       to behave and how was he behaving and what should we  
25       record about that? What impact was all this going to

1 have upon the internal cohesion -- obviously the  
2 cohesion of the regime but the cohesion of the country,  
3 if you like, given the centrifugal pressures there, in  
4 particular the impact on the situation in the north and  
5 then the situation in the south. The attitudes of other  
6 states in the region. An awful lot of complicated  
7 issues and questions and politics that arose there in  
8 terms of regional reactions, many of them quite varied.  
9 And then the impact of this developing crisis,  
10 particularly when it became more acute on the threat  
11 from international terrorism.

12 And those were major themes that were under JIC  
13 consideration throughout, well, certainly the last nine  
14 months of 2002 and then well into 2003, and we did  
15 a whole series of assessments and papers on them.

16 SIR RODERIC LYNE: So how would you say the balance broke  
17 down between focus on Iraq's weapons of mass destruction  
18 and focus on these other issues of the region and the  
19 regime cohesion?

20 SIR JOHN SCARLETT: In term of formal numbers of papers, of  
21 course there were many more papers on all those subjects  
22 that I have just listed than on a formal status of the  
23 WMD programme of a kind which was done, for example, in  
24 March 2002 or in September 2002. Or had been done in  
25 May 2001.

1           That -- but that is a slightly simplistic way of  
2 looking at it, first of all because there were a number  
3 of papers done at this time on the weapons of mass  
4 destruction and proliferation issues on either  
5 a regional or global basis, Middle East proliferation  
6 issues, chemical and biological weapons on a global  
7 basis, long-range missiles, nuclear trade in WMD  
8 materials and so on, all of which included work on Iraq  
9 amongst other countries.

10           And, of course, the paper about military options,  
11 for example, is going to contain some work on chemical  
12 and biological weapons and so it came up quite  
13 frequently, a paper on the situation in the south and  
14 what might happen there. We certainly had to consider  
15 the possibility that chemical and biological weapons  
16 would be used by the regime in the event of a conflict.

17           So the picture is slightly complicated in terms of  
18 balance, but that's the best answer I can give, I think.

19 SIR RODERIC LYNE: You say the situation was changing in  
20 this period. Was it the situation within Iraq that was  
21 changing or was it, as Sir Peter Ricketts put it to us  
22 earlier, tolerance of Iraq that changed after 9/11?

23           That is to say the situation with regard to Iraq changed  
24 rather than the internal problem?

25 SIR JOHN SCARLETT: Yes, the internal situation in Iraq was

1 not the main dynamic here, I wouldn't say. It became  
2 highly relevant, of course, as the regime came under  
3 pressure from outside, but the pressure was coming from  
4 outside. And I agree with Peter Ricketts, his  
5 comment -- and comments from others -- that what had  
6 changed was the readiness, particularly of the  
7 United States, to continue its previous posture  
8 vis-à-vis Iraq after 9/11.

9 SIR RODERIC LYNE: With all the benefits of hindsight of  
10 which we are properly careful, do you think that the JIC  
11 could and should have done more work on the political  
12 situation in Iraq, and in particular on the question of  
13 what might happen after Saddam Hussein left or was  
14 forced to leave power?

15 SIR JOHN SCARLETT: Well, of course, it is tempting to say  
16 with hindsight, yes, but that's not my honest answer.

17 We did do -- and we knew that we had to watch these  
18 issues, we certainly knew that we had to understand as  
19 well as we could the developing internal situation in  
20 Iraq and the way Saddam himself might be thinking and  
21 reacting to the situation.

22 I mean, that was clearly an important requirement  
23 and a lot of effort was put in trying to get that right.  
24 Of course, it was an exceptionally difficult thing to  
25 get right.

1           In terms of the impact internally, well, I referred  
2           to assessments which were done early on in 2003 on the  
3           impact in the north and then the impact in the south,  
4           and these were substantial assessments which were pretty  
5           detailed and blunt in their conclusions. And as I have  
6           said, I made a point of drawing those particularly to  
7           the attention of the Prime Minister's office.

8   SIR RODERIC LYNE: How well placed did you feel the JIC was  
9           to address all of these questions relating to Iraq?

10   SIR JOHN SCARLETT: Well, only as well placed as the quality  
11           of the intelligence coming in, of course. And this was  
12           a very difficult target, and on many of them the amount  
13           of intelligence available was limited. And if it was  
14           limited, well, then there was a limit to what the  
15           assessments could do. But bearing in mind the  
16           intelligence base, I would say that the range of issues  
17           that were covered by the JIC at that time were both  
18           wide-ranging and I think probably quite well chosen.

19   SIR RODERIC LYNE: Thank you.

20   THE CHAIRMAN: You told us something in the introductory  
21           remarks about how ministers and other important  
22           customers are briefed and informed. Coming to the Iraq  
23           context itself and intelligence about it, I recall that  
24           the Butler Committee published an introductory chapter  
25           on the nature and uses of intelligence, and what you

1       have said already makes one understand that intelligence  
2       is a highly professional and even technical business  
3       with its own special language and significance.

4             Are ministers, as it were, among our key customers,  
5       simply assumed to pick it up as they go along or is  
6       there some more formal kind of preparation that's  
7       possible, or does the Chairman of the JIC himself or  
8       herself have to act, as it were, as a travel guide or  
9       interpreter?

10   SIR JOHN SCARLETT:  There is no formal induction process for  
11       new ministers or, indeed, new prime ministers in how to  
12       interpret intelligence.

13             I'll go back to the point when I say I'm talking  
14       about my own time as Chairman of the JIC.  To my  
15       knowledge there was no formal induction process of that  
16       kind and so, of course, it was one of the jobs of the  
17       JIC Chairman to ensure that intelligence was being sort  
18       of understood and properly presented and interpreted.

19             But it is important to explain that, as I have  
20       already sort of indicated, this wasn't the only channel  
21       through which the Prime Minister or senior ministers  
22       have access to intelligence.  A very important channel  
23       is that they receive the intelligence reports of  
24       particular note and interest and importance and  
25       relevance to policy-making as they come through and as

1           they are issued independently by the collection  
2           agencies.

3   THE CHAIRMAN:  And picking up, one assumes, does one, the  
4           nuances and the caveats of all of that in those reports?

5   SIR JOHN SCARLETT:  Well, if they are properly presented,  
6           yes.  But, in fact, one with of the jobs of the policy  
7           departments is probably, and in most cases is carried  
8           out, that they are given a report maybe put up to the  
9           Secretary of State concerned with a comment from the  
10          policy official saying, "We think this means this and  
11          that means that".  In addition, of course, the  
12          secretaries of ..., the Prime Minister, meet the agency  
13          heads.  So they are getting input that way.  That's  
14          separate from the JIC Chairman.

15  THE CHAIRMAN:  So when it comes to key ministers being  
16          briefed on Iraq intelligence, it is mostly the JIC  
17          Chairman, it is also heads of the agencies themselves,  
18          it is also their most senior official advisers, all of  
19          whom would be building in that minister's mind a picture  
20          of Iraq intelligence.

21  SIR JOHN SCARLETT:  Yes.

22  THE CHAIRMAN:  Is that just about as good a system as one  
23          can devise?

24  SIR JOHN SCARLETT:  Erm.

25  THE CHAIRMAN:  You said there was no formal training.

1 SIR JOHN SCARLETT: No.

2 THE CHAIRMAN: There used not to be for judges, but now  
3 there is.

4 SIR JOHN SCARLETT: Well, I sort of haven't come ready to  
5 give a view on whether there shall be formal training of  
6 prime ministers or not, but ... I'm presenting, and  
7 I have presented, the system as it was at that time and  
8 there's a lot of form to it, a lot of tradition to it,  
9 a lot of structure to it and a lot of regularity to it.  
10 And in moments of great tension and conflict that  
11 regularity is, if you like, daily presentation.

12 But there is not in the United Kingdom, and there  
13 has never been, a system of daily intelligence briefing  
14 through all circumstances, tense and not so tense, of  
15 the intelligence picture and the product of the  
16 intelligence agencies and the analytical bodies and  
17 assessment bodies to the Prime Minister or senior  
18 ministers.

19 THE CHAIRMAN: I will push this question just one stage  
20 further, if I may: that is whether it is an advantage to  
21 have experienced ministers in key roles at times of  
22 crisis when it comes to comprehending, taking in,  
23 understanding and, indeed, acting on intelligence  
24 material?

25 SIR JOHN SCARLETT: Well, experience is always an advantage

1 but it is not on its own enough. Many qualities clearly  
2 go into good policy-making and good decision-making and  
3 good leadership.

4 THE CHAIRMAN: Our Inquiry is tasked with finding lessons to  
5 be learned from the Iraq experience, and although it  
6 wasn't the case, at least not for the Prime Minister and  
7 the Foreign Secretary at the time, it could be the case  
8 that a newly appointed and new government and wholly  
9 inexperienced team of senior ministers come in and are  
10 faced with a major crisis with intelligence input, would  
11 the system that we have had and practised for so long be  
12 adequate in those circumstances?

13 SIR JOHN SCARLETT: That is a good question, and it is worth  
14 saying that in the situation I'm describing, the  
15 intelligence community was dealing with top levels of  
16 government which had been in place for quite some time  
17 and had been through quite a few crises by the time this  
18 developed.

19 If we had that kind of situation with a brand new  
20 government and a range of ministers who were not  
21 experienced, it would be essential for them to be  
22 properly guided, properly briefed on the significance of  
23 material and its nature and so on to be properly  
24 understood. So I would agree wholeheartedly.

25 THE CHAIRMAN: Thank you. Roderic?

1 SIR RODERIC LYNE: You referred earlier to the difficulty of  
2 getting information about Iraq. Obviously the JIC  
3 doesn't have to deal with easy targets; they wouldn't  
4 come to the JIC. So in the JIC you are only looking at  
5 difficult issues.

6 How exceptionally difficult was Iraq among the  
7 targets that the JIC had to deal with?

8 SIR JOHN SCARLETT: Well, do you mean the JIC or do you mean  
9 intelligence -- Iraq as an intelligence target?

10 SIR RODERIC LYNE: I mean Iraq as an intelligence target.

11 SIR JOHN SCARLETT: Of course it was very difficult, but  
12 lots of intelligence targets, as you said, are  
13 difficult. Maybe I might develop that a little bit.

14 All totalitarian states are difficult almost by  
15 definition as intelligence targets and that's one of the  
16 reasons they are totalitarian states. If we are  
17 thinking about getting access to sources of really  
18 valuable information which, of course, is by definition  
19 what we are talking about, then achieving that access is  
20 very difficult in a tightly controlled totalitarian  
21 environment, which will be backed by strong security  
22 agencies and a climate of intimidation and maybe even --  
23 well, almost certainly fear. So you have that problem.

24 In addition, you have the problem that the normal  
25 contextual information, which is around normal countries

1 and societies which are relatively open or completely  
2 open, is missing in a highly totalitarian environment.  
3 So you don't have a free press, you don't have the kind  
4 of access which comes from free and easy travel, you may  
5 not have -- and we didn't have in Iraq -- all the  
6 benefits which come from having an embassy in the  
7 country. We hadn't had an embassy there for over ten  
8 years. So the value that of reporting was missing.

9 So those -- all that applies to quite a number of  
10 countries, I suppose. But as I have already indicated,  
11 perhaps it did particularly apply -- not uniquely but  
12 particularly apply -- to Iraq because in that case the  
13 levels of fear and intimidation were very high. And,  
14 therefore, that affected definitely the difficulty of  
15 getting access especially to intelligence on weapons of  
16 mass destruction.

17 I will come back to that in a minute. There was  
18 also the point that we had through the 1990s been quite  
19 reliant on information coming from the UN inspectors  
20 from UNSCOM and, indeed, from the occasional very high  
21 level and valuable defector, such as Hussein Kamel in  
22 the mid 1990s. Once the inspectors had left in  
23 late 1998, that source, if you like, disappeared.

24 I think also -- and this is slightly straying into  
25 the intelligence collection point of view, but it is the

1 question and obviously I can answer it. Issues relating  
2 to Iraq which are relevant are that with a large number,  
3 certainly by the time I'm talking about, of high  
4 priority targets relating to Iraq, whether it was the  
5 WMD programme or programmes, but there was also the  
6 behaviour, thinking and capabilities of the military  
7 more generally, the thinking of the leadership, the  
8 behaviour and intentions of the opposition and so on.

9 Secondly, when we are talking about the nuclear or  
10 chemical or biological or missile programme, we are  
11 talking about the most secret parts of what is already  
12 a highly secretive state. We are talking about secret  
13 parts which are highly compartmented. So you might  
14 achieve access to somebody who knows a lot about  
15 a particular part, a particular programme, but by  
16 definition they are not going to have a broader picture.

17 So you need a lot of such sources at a ground level  
18 to really get detailed information about the programmes.  
19 And, of course, with WMD you have the well-known  
20 programme of dual use, where it is very difficult to  
21 interpret any information or intelligence that you  
22 acquire as to whether it is relevant to the programmes  
23 for whether it is not.

24 And that is a particular problem for the deployment  
25 of signals intelligence or imagery. So there were lots

1 of reasons as to why Iraq was a very difficult target.  
2 It was difficult to produce intelligence on it, but  
3 I don't think I would say that it was unique in that  
4 way.

5 SIR RODERIC LYNE: Was it as difficult to get intelligence  
6 about political affairs there, as you say, things like  
7 the thinking of the leadership, the thinking of the  
8 military commanders, what was happening in the  
9 opposition, what was happening more generally perhaps in  
10 Iraqi society, as it was to get information about WMD?  
11 If we had put more effort into getting that kind of  
12 information, would we have been able to get more?

13 SIR JOHN SCARLETT: I wouldn't say so. They were both very  
14 difficult. And we did have insight, some insight, we  
15 believed, into the thinking of the leadership and,  
16 indeed, the work that was done subsequently in Iraq  
17 after the conflict by the Iraqi Survey Group would  
18 suggest that some of those insights were not far off the  
19 reality.

20 The problem was, of course, that, as I said, this  
21 was a highly autocratic state, where almost everybody  
22 revolved around the person, the thinking, the behaviour  
23 and whims of the leader. So it was what was going on in  
24 his mind which was critical, and that was very difficult  
25 to fathom. And by its nature such a society generates,

1 deliberately or not, obfuscation and uncertainly.

2 Nobody quite knows who knows what about what. There is  
3 a great deal of uncertainty of knowledge.

4 So an individual, maybe a very senior military or  
5 civilian commander who you would normally expect to have  
6 quite a confident view of a particular issue or  
7 capability or whatever it might be, in a society like  
8 that might not or might have a quite -- might say, well,  
9 I don't know about this but, you know, I have got  
10 a friend who does who tells me this, and you wouldn't  
11 really know whether that was true or not.

12 That is a feature of any totalitarian society to  
13 a degree, but it was a feature of Iraq and I think the  
14 Iraq Survey Group work showed that it was a very  
15 important feature.

16 SIR RODERIC LYNE: You said earlier that the JIC as part of  
17 its method draws on all sources?

18 SIR JOHN SCARLETT: Yes.

19 SIR RODERIC LYNE: How much use was made of non-intelligence  
20 sources particularly in trying to work out questions in  
21 society, ethnic strains, sectarian strains, oppositional  
22 tendencies, the fragility of Iraq?

23 SIR JOHN SCARLETT: Well, that was certainly all taken into  
24 account. There wasn't a very detailed understanding or  
25 set of knowledge available, I think, to any part of the

1 government machine on some of those points that you have  
2 just made.

3 SIR RODERIC LYNE: Would that include tapping into academic  
4 expertise, people who were actually able to visit Iraq  
5 in a non-official capacity?

6 SIR JOHN SCARLETT: Well, it would. I can't immediately  
7 think of a particular moment when that was called upon  
8 or quoted or cited. But that's not to say that that  
9 wasn't feeding into the analytical process, you know, at  
10 some point in the cycle. And obviously the opposition  
11 side of it had to be handled with care and was handled  
12 with care. Anything which they sort of said, or  
13 opinions they had or information they claimed to have  
14 was treated with a great deal of caution.

15 So that was always understood to be a difficult  
16 area. An awareness of the fragility of the country and  
17 in particular the ethnic tensions, of course that was  
18 very high, and that is clear from the assessments that  
19 we did.

20 SIR RODERIC LYNE: So opposition and exile sources you would  
21 include in opposition treated with caution?

22 SIR JOHN SCARLETT: Definitely.

23 SIR RODERIC LYNE: Can we now turn to the way in which the  
24 assessment of Iraq's WMD programmes evolved in the two  
25 years leading up to the conflict.

1           To what extent was it actually a static situation  
2           that you were looking at? To what extent did new  
3           intelligence become available in this period from 2001  
4           to spring of 2003 that might significantly have altered  
5           your assessments in one direction or another?

6   SIR JOHN SCARLETT: Well, of course, it was an evolving  
7           process. This is, you know, quite a complicated subject  
8           and it is difficult to avoid going into some detail,  
9           although I realise I mustn't do that too much. But  
10          essentially, the starting point for the period that we  
11          are covering was the assessment which was done by the  
12          JIC in May 2001, which drew on two big assessments in  
13          the year 2000 as to the status of the programme. And  
14          that set, if you like, a sort of starting point for the  
15          assessment, which essentially was that the nuclear -- it  
16          would not be possible to develop a nuclear weapon whilst  
17          sanctions remained in place and so they would have to  
18          either be evaded or lifted.

19          That said, there was some -- there was heightened  
20          concern, certainly by May 2001, about possible  
21          nuclear-related procurement and longer-term plans to  
22          enrich uranium.

23          On chemical weaponry at that time, Iraq was assessed  
24          to retain some stocks of chemical weapons, chemical  
25          agents and weapons, but there were no details on

1 locations or quantities. But there was a lot of  
2 attention being paid to the reconstruction of the  
3 chemical production facilities which had been used in  
4 the past for chemical agent production.

5 On biological weapons, at that point it was stated  
6 that there was clear evidence of continuing biological  
7 warfare activity. That was at a time when the  
8 intelligence about mobile production laboratories first  
9 came into play, and that was taken seriously. And as  
10 with chemical, there was a lot of emphasis on the  
11 capability of Iraq's biological sort of industry to  
12 start production of agents very quickly if a decision  
13 was taken to do that.

14 And then on the question of missiles, both extending  
15 to an illegal extent the range of the permitted missiles  
16 that they were permitted to have under the  
17 Security Council Resolutions, beyond 150 kilometres, if  
18 they were to extend that and then in fact to design  
19 longer range missiles, that was given a lot of  
20 prominence in the assessment as a step change in the  
21 progress that they were making. So that was a sort of  
22 baseline.

23 In terms of the way -- and of course it was  
24 a baseline which it was set against -- and this is an  
25 important point -- a background, if you like, picture of

1 Iraq's proven ability to weaponise chemical and  
2 biological agent on to delivery systems -- artillery  
3 shells, three or four(?) bombs, airborne sprayers, as  
4 well as ballistic missiles, and their experience of  
5 command control, logistical support for chemical weapons  
6 use and, of course, their previous readiness to use it.  
7 And that was the basic position, the basic assessment.

8 That was in May 2001 and I might just say here that  
9 that assessment described knowledge of developments in  
10 Iraq's WMD and ballistic missile programmes as patchy.  
11 There was no clear intelligence on the nuclear  
12 programme. There was good intelligence on former  
13 chemical and biological warfare facilities. The future  
14 of the biological warfare programme was described as  
15 unclear although intelligence was slightly in support of  
16 individual items or judgments. The intelligence  
17 on missile programmes was good. That was the way the  
18 intelligence base was described at that time.

19 The next big assessment was done in March 2002,  
20 which was essentially -- and I won't go over the detail  
21 again, but essentially confirmed many of those judgments  
22 with certain nuances. Significant progress on the  
23 missile programme was noted, that the most important  
24 change at that point was there was a stronger judgment  
25 about the capability to produce and plans to produce

1 biological warfare agent, and that reflected a better  
2 understanding of the mobile facilities -- what was  
3 thought to be a better understanding of the mobile  
4 facilities -- and the refurbishment of a former  
5 production facility.

6 And it was said then that Iraq was judged to be;  
7 self-sufficient in the production of biological weapons.  
8 So a significant weight was based on the mobile  
9 laboratories at that time.

10 Also at that point -- and this is important mainly  
11 for later on -- we drew attention in the assessment to  
12 the issue of dispersal. As the prospect of inspectors  
13 coming back grew, of course their attention focused on  
14 how do we conceal things, and one of the ways in which  
15 you conceal weaponry is to dismantle or disperse it.  
16 And there was intelligence to show at that time, in  
17 about March 2002, that thinking was being given to that  
18 and orders had gone out accordingly and there had been a  
19 temporary dispersal of what was called "sensitive  
20 equipment" after 9/11.

21 The judgment at the end of that paper was:

22 "It is clear that Iraq continues to pursue a policy  
23 of acquiring WMD and their delivery means."

24 It was a firm underlying judgment that Iraq was  
25 pushing where it could, but there was little detailed

1 intelligence on nuclear and chemical warfare programmes.  
2 And, of course, this was set against the underlying  
3 judgments on command and control and logistical support,  
4 weaponisation, as I have just said.

5 Now, that meant that the questions which were not  
6 clear was what they possessed and whether they possessed  
7 currently agent of chemical warfare or biological  
8 warfare and whether they were producing currently agent.  
9 We talked about sort of changes.

10 Now, in August and early September,  
11 late August/early September 2002, there was further work  
12 done by the JIC on this issue, particularly in  
13 early September, and that was when new intelligence was  
14 coming in which had a significant influence on the  
15 judgments.

16 So this was quite firm judgment existing already, as  
17 I have described, but it became firmer in important  
18 respects, which I will explain.

19 Now, there was a paper, an assessment, on  
20 9 September 2002, which reaffirmed -- and that was on  
21 Saddam's options for using chemical and biological  
22 weapons. But it was in fact a separate judgment on  
23 capabilities which existed. I know that it has been  
24 described as a possibly a worst case scenario paper, but  
25 it wasn't intended to be that. That paper reaffirmed

1 existing judgments on the ability, if so decided to  
2 produce agent -- the availability of a range of delivery  
3 systems and the development of missiles beyond the  
4 permitted limits.

5 The change was in the judgment on current  
6 possession, which now became firm:

7 "Iraq has currently available a number of CW and BW  
8 agents and weapons from pre-war stocks or recent  
9 production."

10 And the paper referred to recent intelligence on the  
11 production of weapons now taking place, the development  
12 of a mobile systems and then, importantly, on the regime  
13 and Saddam's intent: The great importance that he  
14 attached to the possession of chemical and biological  
15 weapons and his readiness to use them if necessary,  
16 including to defend the regime from attack:

17 "He saw possession as a central feature of his  
18 regional power position and continuing ability to  
19 project influence."

20 That intelligence on intent was significant -- taken  
21 to be significant.

22 It was also noted that we did not know specific  
23 plans for CBW use in the event of conflict, the location  
24 of production facilities, the size of stocks.

25 Now, a draft of that assessment was discussed in

1 detail at the JIC on 4 September. It was noted that the  
2 fact that Saddam possessed this capability and was  
3 prepared to use them was significant and needed to be  
4 brought to the attention of ministers. Close attention  
5 was paid at the meeting to the recent important and  
6 valuable intelligence, which was described as reliable  
7 and authoritative, and the assessments staff were  
8 instructed to firm up the judgment on possession in  
9 particular in the light of that intelligence, and that  
10 happened in the paper which was produced on 9 September:

11 "It was also noted that further intelligence might  
12 be forthcoming in the near future."

13 And, indeed, further intelligence did come in  
14 in September, which reported on the acceleration on the  
15 production of chemical and biological agent. And that  
16 too was regarded as significant.

17 So I will go into a bit of detail there, because  
18 that is the background to that assessment in  
19 early September and that was really the assessment which  
20 then stayed in place as the confirmed view of the JIC in  
21 the months that followed and it didn't change  
22 significantly as a set of judgments.

23 There was a lot of discussion all the time around  
24 the issue, but the judgment was the firm view of the JIC  
25 and it wasn't challenged during that time.

1 SIR RODERIC LYNE: Thank you. That's very helpful.

2           If I can just summarise this evolving process that  
3 you have set out, and you have identified the points at  
4 which it appeared to change, what you were describing to  
5 the readers of your assessment, including the  
6 Prime Minister, Cabinet ministers, Chiefs of Staff, was  
7 a picture in which you were both getting some additional  
8 intelligence in on the Iraqi WMD programme and,  
9 importantly, in which this intelligence showed that  
10 further work was being done. It wasn't just a better  
11 photograph of the static picture, it was a better  
12 photograph of a moving picture. Would that be accurate  
13 and fair?

14 SIR JOHN SCARLETT: Yes. That's quite a good way of  
15 describing it. The static picture, if you like, if one  
16 takes that nothing is ever static in this area, but the  
17 static picture, if one takes static as of mid 2001, was  
18 of a fairly firm judgment based on limited intelligence,  
19 but taking account of a lot of other issues, including  
20 past behaviour, and behaviour not just in terms of use  
21 but also of deception and concealment and so on.

22           And then intelligence adding to the picture and  
23 firming up those judgments. And that's the word I have  
24 to use, of "firming up".

25 SIR RODERIC LYNE: Just before I hand back to

1 Sir John Chilcot, if we now move forward to March 2003,  
2 we heard last week from Sir William Ehrman that some  
3 late intelligence had come in relating to Saddam's  
4 capabilities.

5 Can you say what new intelligence arrived in the  
6 days running up to the conflict and how and when this  
7 was reported to the Prime Minister and other ministers?

8 SIR JOHN SCARLETT: Yes, of course I can. If I can just  
9 pick up one point in a sense from what I have just said,  
10 I said that the judgments, the firm judgments, as I set  
11 them out in the autumn of 2002, remained in place in the  
12 period following, and a key point there was that no  
13 contradictory intelligence was received during that  
14 time. And I think that's a point that William Ehrman  
15 made himself and then he talked about the intelligence  
16 which came in in March 2003.

17 This needs to be seen in the context of the policy  
18 of dispersal and concealment. Throughout 2002 and early  
19 2003, the assessments and the updates drew attention to  
20 Iraqi plans for dispersal as part the policy of  
21 concealment from the inspectors. Actually, he  
22 highlighted that as an issue in March 2002 and it was  
23 mentioned in a September assessment and also in  
24 a December assessment, which was done on the declaration  
25 to the UN under 1441.

1           It was emphasised that that kind of policy would  
2           have consequences for the ability to deploy chemical and  
3           biological warheads or the necessary delivery systems.

4           Now, an update, an assessment staff update on  
5           10 March noted the report, which in fact was issued on  
6           7 March -- yes, intelligence, which was issued on  
7           7 March actually it was, I think, two reports that -- it  
8           was essentially saying there were two versions of the  
9           same report, that Iraq had no missiles which could reach  
10          Israel and none which could carry germ or biological  
11          weapons.

12          The leadership had ordered the dismantlement of the  
13          missiles known Al Hussein, 600-kilometre range missiles,  
14          to avoid discovery and they thought that they could be  
15          quickly reassembled. The JIC had over many months  
16          throughout this period reported the assessed existence  
17          of these missiles, up to 20 was the expectation. But  
18          all along, it had been reported that they had been  
19          disassembled and concealed.

20          And DIS advised -- and this was noted in the  
21          update --

22   SIR RODERIC LYNE: DIS being --

23   SIR JOHN SCARLETT: Defence Intelligence Staff advised, and  
24          this was noted in the update, that depending on the  
25          method of disassembly used, it might be possible to

1 reassemble in one or two days. But if it was very  
2 complex disassembly, then it would be longer.

3 SIS advised that the reference to "germ and  
4 biological" might also refer to chemical, just from the  
5 context, although that was speculative. So that was  
6 what the 10 March reference was about.

7 On 17 March, intelligence was received that chemical  
8 weapons had been disassembled and dispersed and would be  
9 difficult to reassemble. Saddam had not yet ordered  
10 reassembly nor, indeed, asked about chemical weapons.

11 Now, that report was referred to in a JIC note of  
12 19 March, which was discussed the same day in a JIC  
13 meeting of 19 March, which was the last meeting, of  
14 course, before the conflict actually began.

15 The reports were assessed in the context of the  
16 policy of dispersal and concealment. They were not  
17 understood to be an indication that chemical and  
18 biological weapons did not exist. Indeed, they didn't  
19 say that but, of course, it was clear from the reports  
20 that they might be difficult to find.

21 Previous reporting and updates had already reported  
22 separately on the difficulty that Iraq was having or was  
23 reported to have in developing or redeveloping chemical  
24 warfare warheads for ballistic missiles. And so that  
25 issue, which was referred to in a 7 March report was

1 noted in the update on 10 March, about not having  
2 warheads capable of dispersal was already a feature of  
3 reporting from the end of 2002 and had been noted in  
4 updates. An update at the end of December had noted  
5 that -- had noted that point, but had also noted the  
6 intelligence had said that chemical warheads were still  
7 available for short-range artillery, rockets and so on.

8 So that was the picture that was being presented  
9 both through the reporting and through the updates.  
10 Those reports, I understand, weren't -- the ones I have  
11 just been referring to -- went directly to the  
12 Prime Minister's office. And the updates were certainly  
13 available to him too. So this information was  
14 definitely available.

15 SIR RODERIC LYNE: So your assumption is that on 10 and  
16 19 March respectively, the Prime Minister, the Foreign  
17 Secretary, the Defence Secretary, the Chiefs of Staff,  
18 would have actually seen the update and then the JIC  
19 note of 19 March?

20 SIR JOHN SCARLETT: They would also have seen - assumption,  
21 that's a slightly loose word. I was certainly working  
22 absolutely on the basis that these updates by this  
23 stage, that they were being read carefully.

24 SIR RODERIC LYNE: Did you get any feedback, any questions  
25 about them?

1 SIR JOHN SCARLETT: About that particular point?

2 SIR RODERIC LYNE: Yes, did somebody after 10 March ring you  
3 up and want to ask you about it?

4 SIR JOHN SCARLETT: No.

5 SIR RODERIC LYNE: There was no visible reaction to it?

6 SIR JOHN SCARLETT: Of course, as I have said, it wasn't new  
7 information and the disassembly was a longstanding  
8 item --

9 SIR RODERIC LYNE: So it was presented as confirming  
10 a existing --

11 SIR JOHN SCARLETT: It wasn't actually presented as that at  
12 the time. It was just reported in the update as being  
13 intelligence which had been received. But the  
14 intelligence reports themselves, as I have said, went  
15 through independently to the Prime Minister and, I'm  
16 sure, to senior ministers, because that's the way the  
17 system worked.

18 SIR RODERIC LYNE: So did the JIC consider revising its  
19 assessment in the light of these reports or not?

20 SIR JOHN SCARLETT: Well, the JIC looked again at the issue  
21 and recorded its view in the minute of 19 March and  
22 judged then that Iraq had a usable chemical and  
23 biological warfare capability, deliverable by artillery  
24 shells and possibly by unmanned aerial vehicles. It  
25 also said that missiles might be available to deliver

1 CBW, but Iraq might lack the necessary warheads, which  
2 was a reference to the difficulty I have just  
3 referred to.

4 What did not happen was that the JIC said, right, we  
5 have received these reports, this requires a review of  
6 our assessment on possession because that's not what the  
7 reports said. The reports referred to disassembly and,  
8 in one case, of equipment which we had assessed to be  
9 disassembled for a very long time. So that wasn't, in  
10 fact, new. And disassembly of the chemical weapons, the  
11 report which came in on 17 March, so quite a few days  
12 later, was saying that they didn't have it. They were  
13 saying that they were concealing it and, of course, the  
14 consequence of concealing it was that it would be  
15 difficult to use. And, of course, it was highly  
16 relevant because that meant they would be difficult to  
17 use against US military forces or UK military forces.

18 So I am quite sure that it was taken on board in  
19 that context.

20 SIR RODERIC LYNE: Just to be absolutely clear about this,  
21 these two reports were not a game changing moment?

22 SIR JOHN SCARLETT: No, they were not.

23 SIR RODERIC LYNE: Sir John?

24 THE CHAIRMAN: Thank you. Just one question on confidence  
25 levels.

1           You told us earlier about the nature of the hard  
2 target that Iraq was for intelligence collection: no  
3 direct access since the UNSCOM inspectors left in 1998.  
4 Saddam was playing a two-card trick game, wasn't he? On  
5 the one hand, he wanted to get out from under sanctions,  
6 which meant appearing to be sufficiently compliant with  
7 the UNSCR's non-declaration of WMD stocks or whatever.  
8 On the other hand, he maintained -- I think he said  
9 himself, didn't he, after he was captured -- he needed  
10 to project in the region and to the neighbours the fact  
11 that he was the great hero and the possessor of these  
12 magical weapons that gave him status.

13           Was that kind of awareness in the minds of JIC right  
14 through this process of assessment; in other words, were  
15 your confidence levels addressing this kind of  
16 consideration?

17 SIR JOHN SCARLETT: Well, that is a very interesting point  
18 which comes out of the Iraq Survey Group conclusions,  
19 that he had this paradox or ambiguity which maybe is in  
20 the nature of a regime like his and a system like his,  
21 and it comes out quite clearly from what he said to the  
22 survey group people.

23           What is clear from the survey group report is that  
24 his top priority was to get out of sanctions. Of  
25 course, the survey group goes on to say in their

1 judgment, once he had achieved that -- in 2001 it looked  
2 like he was achieving it -- he would then, in their  
3 view, move firmly to reconstitute his programmes, so the  
4 strategic intent remained.

5 But it was difficult for him to put all his focus on  
6 getting out of sanctions, as you have just indicated,  
7 Chairman, because he felt he needed to project power and  
8 intimidation, if you like, in the region, particularly,  
9 I think he said to the survey group, in relation to  
10 Iran. And, of course, he was watching the Iranian  
11 nuclear programme and chemical and biological  
12 capabilities very closely.

13 Did the JIC understand the intensity of that  
14 ambiguity and that paradox? No, I don't think --  
15 I can't quote -- I can't cite an example of where that  
16 was confronted as a paradox and then discussed. And I  
17 can't think of anybody else who saw it in quite those  
18 terms either. And, of course, that is something that we  
19 now understand better because it was possible to talk to  
20 him and it was possible to talk to all the people who  
21 were around him. So a completely different sort of view  
22 is available from what was ever going to be available  
23 from intelligence reporting.

24 THE CHAIRMAN: Thank you. I would like to get us on in the  
25 final stages of this hearing to the September dossier,

1 but just before I do, we had evidence from  
2 Major General Tim Cross earlier in the week on getting  
3 first into Baghdad after the invasion to find himself --  
4 I have got his exact word -- it is something like  
5 astonished at the degree of breakdown, decay,  
6 decrepitude in the physical, social and administrative  
7 state of affairs in Iraq. It came as shock.

8 We clearly had not been able, from whatever sources,  
9 open or otherwise, been able truthfully to estimate the  
10 degree of hollowing out that had gone on in Iraq. With  
11 hindsight was that a potential intelligence focus that  
12 could have been better informed?

13 SIR JOHN SCARLETT: I think I say on that one that one tries  
14 to expect a lot from intelligence, but that is not  
15 a natural intelligence target. That kind of information  
16 and that kind of understanding of the fragility of the  
17 structures of the state is -- if it was a -- if it was  
18 going to be understood and going to be available, it was  
19 an understanding and a picture which could have been, as  
20 it were, presented or understood from a whole range of  
21 sources, not necessarily from intelligence, which tends  
22 to be quite focused.

23 THE CHAIRMAN: It was fair to ask whether its general  
24 relevance as context might have been focusing on our  
25 assessment of the state of his conventional military

1 forces, and there is that wonderful image from the  
2 Soviet Union about the knight dying inside his armour.  
3 And we were making assessments of Saddam's conventional  
4 military capability right up to the invasion, I imagine.

5 SIR JOHN SCARLETT: Yes, we were, and I think we were quite  
6 accurate in the assessment that we made, that the  
7 military, as a body, would hold together in support of  
8 the regime until the moment of a ground invasion. If  
9 that invasion was overwhelmingly powerful, then it would  
10 probably splinter very quickly and collapse very  
11 quickly, and it was clear from the assessments that were  
12 done beforehand that although there would be resistance  
13 from some of the elite units, particularly maybe around  
14 Baghdad or before Baghdad, to a coalition forces, there  
15 wouldn't be a serious professional sustained resistance  
16 put up. And, indeed, that turned out to be the case.  
17 So I think that assessment, which was put out by the  
18 JIC, drawing very extensively on advice from the  
19 military specialists, turned out to be pretty well  
20 correct.

21 Can I just go back, Mr Chairman, on one point, the  
22 important point that we were just talking about in terms  
23 of the paradox and ambiguity, whether the JIC and the  
24 intelligence had given insight into Saddam's state of  
25 mind. I think when one reads the Iraq Survey Group and

1 also the book that has been written by --

2 THE CHAIRMAN: Charles Duelfer.

3 SIR JOHN SCARLETT: Charles Duelfer's book "Hide and Seek",  
4 which is a very interesting book. I would say that  
5 elements of Saddam's thinking did come through in the  
6 assessments. I had referred earlier on to the  
7 importance that was attached to his intent and his  
8 awareness of the possession of chemical and biological  
9 weaponry as an integral part of his power structure and  
10 his influence and his ability to influence neighbours.  
11 And that, I think, is correct and that, of course, is  
12 one of the things that we saw.

13 Now, the question is he could still have that  
14 awareness, he could see that it was very important. It  
15 doesn't automatically follow that he then has it; it is  
16 just that he knows that he mustn't give away that he  
17 doesn't have it. So that's where it becomes  
18 complicated.

19 I would just like to make that point.

20 THE CHAIRMAN: I have to say I have often wondered, since  
21 the Butler Committee sat, who it was who would be brave  
22 enough to tell Saddam that he hadn't got weapons of mass  
23 destruction any more.

24 SIR JOHN SCARLETT: It is clear from the Duelfer book that  
25 right up until the end, senior military commanders

1 weren't sure whether they did or didn't. There was an  
2 element of the boss has got secret weapons somewhere,  
3 it's 1945. So there is a certain point behind that.

4 SIR RODERIC LYNE: I would just like to ask you one or two  
5 questions about the September dossier. That's not the  
6 one that became known as the dodgy dossier, but one that  
7 the Prime Minister wrote a foreword to.

8 Can you tell us when and why the decision was made  
9 to draw up a document for publication of this kind?

10 SIR JOHN SCARLETT: Well, the origins of the decision to do  
11 this document go back to February 2002. At that time  
12 papers were being prepared for the Prime Minister's  
13 visit -- planned visit to see President Bush in the US  
14 in April. And one of the papers that was commissioned  
15 by -- Overseas and Defence Secretariat in the Cabinet  
16 Office was on weapons of mass destruction and  
17 capabilities worldwide and the idea was to have a paper  
18 which could be put into the public domain that would  
19 have included Iraq, but a number of other countries.

20 The action taken on that was for assessments staff  
21 to draft a paper which actually covered four countries,  
22 one of which was Iraq.

23 In mid-March, so roughly a month later, it was  
24 decided, as a policy decision, to proceed not with the  
25 four country paper, but with a draft on Iraq alone. By

1 that stage there was increasing policy attention, as I  
2 think you have already heard, to Iraq.

3 On 21 March, I submitted a draft which had been  
4 prepared by assessments staff to David Manning and that  
5 was a draft which we believed could form a basis for  
6 something which would be put in the public domain and it  
7 was based on current intelligence assessments at that  
8 time.

9 Now, it was decided not to use it at that stage.  
10 I don't know exactly why not, but probably the judgment  
11 was -- it was a policy judgment obviously that the time  
12 wasn't right. But the proposal wasn't dropped and we  
13 were asked to keep the draft under review, which we did,  
14 updating and so on during the summer.

15 So by end of July, what actually existed was a draft  
16 on -- updated from time to time, on current capabilities  
17 and then separate sections, which had been drafted  
18 again, as I think you have already heard, on the history  
19 of UN inspections, which the counter-proliferation  
20 department in the FCO, the Foreign Office, had led on,  
21 and the history of human rights in Iraq, which the  
22 Foreign Office had also led on.

23 That was the sort of documentation which existed at  
24 the beginning of September 2002.

25 SIR RODERIC LYNE: So that exists, but it is still at the

1 moment somewhere in the fridge or the freezer. When  
2 were you told to take it out of the freezer and warm  
3 it up?

4 SIR JOHN SCARLETT: Well, I suppose the person who opened  
5 the freezer was the Prime Minister. He made a public  
6 announcement on 3 September that the government  
7 assessment of Iraq's weapons of mass destruction  
8 capabilities would be published in the coming weeks, the  
9 next few weeks, I think he said. And then immediately  
10 after that on 4 September Overseas and Defence  
11 Secretariat circulated those exists papers, unfrozen by  
12 that time, to senior officials in the Foreign Office,  
13 the Defence Ministry, Cabinet Office and Number 10 and  
14 so on, and also to Assessment Staff.

15 So that's when the process of drafting the dossier  
16 actually began.

17 SIR RODERIC LYNE: As you say, this has come together from  
18 different places, from the Foreign Office, from the  
19 Assessment Staff and so on. Were you, as the Chairman  
20 of the JIC, responsible for the overall package, had the  
21 Assessment Staff drafting been done under your  
22 supervision?

23 SIR JOHN SCARLETT: The Assessment Staff drafting which was on the  
24 current capabilities, which had been going on, on and  
25 off, since February really, of course that was the work

1 of the Assessments Staff. I submitted a draft to  
2 David Manning, yes. I mean, that was a natural part of  
3 my responsibility.

4 The wider document -- for example, including the  
5 chapters drafted by the Foreign Office, you know, at  
6 that stage was sort of separate. Thought hadn't been  
7 given as to how they might be brought together. That  
8 thinking went on in the first few days, up to  
9 9 September, when thought was given as to what sort of  
10 document -- you know, would come together. And the  
11 decision was in terms of presentation, that there would  
12 be an overarching document, that it would contain  
13 chapters on the history of Iraq's WMB behaviour and  
14 capabilities, on current capabilities and the current  
15 assessment, on the history of weapons inspections and on  
16 the human rights -- well, Iraq under Saddam. They would  
17 all come together in one paper. That the work on WMD  
18 both historical and current capabilities was the  
19 responsibility of Assessment Staff, answering to myself  
20 as JIC Chairman, and to the JIC -- and the JIC -- and  
21 that nothing could be produced and certainly published  
22 in that area without that authority.

23 It was also decided that sort of overall -- given  
24 the centrality of that to the document, overall  
25 responsibility for the production of the document would

1           come to me as JIC Chairman, answerable to the JIC, even  
2           though the drafting of the human rights and the  
3           inspectors chapters had been done elsewhere. But it was  
4           a sort of joint effort, if you like. So that was the  
5           position as of 9 September.

6   SIR RODERIC LYNE: Now, some of the intelligence on which  
7           the judgments about WMD were made in the dossier, you  
8           yourself had described earlier as patchy or unclear.  
9           You said the stuff on missiles was good.  
10          Sir William Ehrman last week again used the term patchy,  
11          sporadic, poor limited.

12                 Did you come under pressure in preparing this  
13           publicly to firm up the language in the dossier? For  
14           example, there has been released under the Freedom of  
15           Information Act a minute from Desmond Bowen in the  
16           Cabinet Office, from whom we have already heard, to you  
17           of 11 September that refers to the use that will be made  
18           by the:

19                 "... opponents of action who will add up the number  
20           of judgments on which we do not have absolutely  
21           clarity."

22                 So was there more clarity than you had confidence in  
23           in the way the document eventually came out?

24   SIR JOHN SCARLETT: Well, the answer -- I mean, there were  
25           two questions there: was there more clarity and did we

1           come under pressure. The answer to both is no and no.  
2           You quote correctly what William Ehrman said about  
3           the intelligence base and some of the wording that  
4           I have used, and we are drawing on the same sources. I  
5           have already referred to the arrival of additional  
6           intelligence, which led to a firming up of what were  
7           already quite firm judgments, but clear firming up, in  
8           early September and they -- and the instructions of the  
9           JIC to the drafting group which was overseeing all this,  
10          the drafting group, which was an interdepartmental  
11          drafting group, was to reflect the recently arrived  
12          intelligence in the dossier and to reflect it  
13          explicitly, which of course it did explicitly, and to  
14          ensure that the judgments which were recorded in the  
15          dossier were consistent with what was in the most recent  
16          update assessment, which it also did. So that's the  
17          answer to that.

18          On the question of pressure, well, of course, I have  
19          read now Desmond Bowen's minute. It was addressed to  
20          me. I have looked into this obviously since the minute  
21          was released, and clearly, I suppose I must have seen it  
22          at the time when it was issued on 11 or 12 September.  
23          I have got no memory of having seen it. It was marked,  
24          as a document to the drafting group, led by assessment  
25          staff, but no other action is recorded on it. And the

1 chief of the drafting group has no recollection of  
2 receiving it either.

3 Of course, it was an advisory note, it wasn't an  
4 instruction. It couldn't have been an instruction. And  
5 it was written as an advisory note and, you know, with  
6 hindsight and everything else and several years later  
7 I don't think it had any impact on me at all.

8 SIR RODERIC LYNE: So that was advice from a peer and you  
9 weren't under pressure from higher up the food chain?

10 SIR JOHN SCARLETT: He actually wasn't a peer. He was a  
11 very good colleague, Desmond Bowen. I was clearly  
12 senior to him, so I wouldn't have felt any pressure.

13 SIR RODERIC LYNE: Obviously a lot of attention has centred  
14 on the 45-minute claim. The dossier said on page 19  
15 that Iraq could:

16 "... deploy chemical or biological weapons within  
17 45 minutes of an order to do so."

18 But it left it unclear what kind of weapons were  
19 meant.

20 Should you, as the person with overall  
21 responsibility for the dossier, have corrected the  
22 misconception that this might have been held to refer  
23 to, say, ballistic missiles?

24 SIR JOHN SCARLETT: Well, of course, this was -- as you say,  
25 had been the subject of great debate and it was

1 considered in detail in the Inquiry by Lord Hutton and  
2 it was looked into also by the ISC and also in the  
3 Butler Report. And the conclusion has been that it  
4 would have been much clearer and better -- as it were,  
5 the matter wouldn't have been lost in translation if it  
6 had spelled out in the dossier that the word was  
7 "munitions", not "weapons". I think that's essentially  
8 the point.

9 Of course, that's all the report said. It didn't  
10 say more than munitions, and it didn't give further  
11 context to it. So anything else would have been  
12 assessment or speculation.

13 Now, you know, those comments have been accepted.  
14 I would only say that there was absolutely no conscious  
15 intention to manipulate the language or to obfuscate or  
16 to create a misunderstanding as to what they might  
17 refer to.

18 SIR RODERIC LYNE: Were you aware at the time of the serious  
19 concerns about this that had been expressed by  
20 Dr Brian Jones of the Defence Intelligence Staff?

21 SIR JOHN SCARLETT: I was not.

22 THE CHAIRMAN: Just one last question, I think, on the  
23 dossier and time is now against us.

24 Is there a contrast between the language of the  
25 Prime Minister's foreword and the contents of the

1 dossier taken altogether?

2 There is a sentence which echoes for me in the  
3 Prime Minister's foreword, which says:

4 "What I believe the assessed intelligence has  
5 established beyond doubt ..."

6 And I just wonder whether recalling that chapter 1  
7 of the Butler Report it is ever possible to say assessed  
8 intelligence has established beyond doubt. Would you  
9 like to comment on that?

10 SIR JOHN SCARLETT: Well, I think there are two things I can  
11 say. One is that I and other members of the JIC -- all  
12 other members of the JIC -- but I saw the foreword in  
13 draft form. So I knew that it said that. I saw the  
14 document or the foreword as something quite separate  
15 from the text of the dossier itself. The text of the  
16 dossier itself I was clearly responsible for drafting.  
17 The foreword was overtly a political statement signed by  
18 the Prime Minister. So it was his wording and his  
19 comments that were there throughout, although I did make  
20 one or two, three maybe, small changes on the text of  
21 the foreword, basically to correct one or two small  
22 points, which I thought were -- or actually add at one  
23 point in particular about who received intelligence  
24 assessments in the first paragraph, and also to bring  
25 into line with the text of the dossier itself.

1           There was a particular point on concealment. I  
2           didn't see it as something that I would change. That's  
3           all I can recall now, and I have got no other -- it is  
4           quite difficult now to reconstruct the actual sort of  
5           process of how this happened several years later.

6           I'm not able to completely reconstruct the thought  
7           process, but my memory at the time quite clearly was  
8           this was something which was the Prime Minister's and it  
9           was going out under his signature. So it was different  
10          from the attention that I paid to the wording of the  
11          dossier.

12 THE CHAIRMAN: Okay. Thank you. Lawrence?

13 SIR LAWRENCE FREEDMAN: Just staying with the dossier for  
14          a moment, we heard, I think from Tim Dowse, that the  
15          evidence was put in aluminium tubes, because  
16          Vice-President Cheney had mentioned this, though there  
17          was also a ranging debate on this issue. Were you  
18          comfortable with this inclusion?

19 SIR JOHN SCARLETT: Was I comfortable?

20 SIR LAWRENCE FREEDMAN: Yes.

21 SIR JOHN SCARLETT: Yes, if I hadn't have been then it  
22          wouldn't have been there, definitely.

23 SIR LAWRENCE FREEDMAN: Were there any other areas where  
24          material was included to get in line with the American  
25          national intelligence estimates? Or American public

1 presentations?

2 SIR JOHN SCARLETT: Is there an indication that that wording  
3 was given in order to keep it in line?

4 SIR LAWRENCE FREEDMAN: Well, that was the implication from  
5 Tim Dowse, that he was concerned if  
6 Vice-President Cheney was talking about aluminium tubes  
7 in a rather alarming way, and we weren't.

8 SIR JOHN SCARLETT: Well, I put it a slightly different way.  
9 I understand that point.

10 The fact was that the aluminium tubes, the aluminium  
11 alloy which they were seeking to present, was an issue.  
12 And it wasn't just an issue because  
13 Vice-President Cheney had spoken, it was an issue anyway  
14 and it was an issue which had featured quite regularly  
15 in JIC assessments in the past. So it was a standing  
16 feature of the study that we were doing, and it was  
17 regarded as an important issue.

18 It was known, of course, in what  
19 Vice-President Cheney said, that the Americans, or many  
20 people in the States, had a strong view about this and,  
21 indeed, that was reflected in the US national  
22 intelligence estimate which was published  
23 in October 2002, which used quite strong definite  
24 language about this. And the general view in the States  
25 was that this was very likely indeed to be related to

1 centrifuge construction.

2           So it was an important issue. We took it very  
3 seriously. We thought that there was a serious chance  
4 that it was related to centrifuges, but we had no  
5 definitive intelligence to that effect and that's why we  
6 worded the dossier in the way we did. The intention was  
7 to be careful.

8           But it wasn't, as it were, being influenced in that  
9 way by the American assessment, but there was dialogue  
10 with the Americans about it, of course.

11 SIR LAWRENCE FREEDMAN: Just another issue on the nuclear  
12 side. As I understand it, the British view -- and I  
13 think this is in published material -- certainly the  
14 British view is in published material that nuclear  
15 weapons were only an issue if sanctions ended, whereas  
16 the American view was that they could be a serious issue  
17 even with the continuation of the sanctions regime. Is  
18 that fair?

19 SIR JOHN SCARLETT: Yes. And, of course, there is a nuance  
20 there, because you could have the sanctions regime  
21 continuing but being successfully evaded. And certainly  
22 our view was -- the British view was that if fissile  
23 material was obtained illicitly from outside Iraq, then  
24 that would make potentially a significant difference to  
25 the capability of that programme.

1 SIR LAWRENCE FREEDMAN: Just one more point on the dossier  
2 and I would like to ask another question. It really in  
3 some ways goes to the heart of the problem which has  
4 already been raised.

5 It is an assessment of the WMD programme. It is not  
6 a threat assessment as such. It is not saying in the  
7 material that you prepared why we should or should not  
8 be worried about this, and I understand why intelligence  
9 agencies and JIC do that.

10 But that means that the interpretation of this  
11 evidence was left to the foreword, and there were other  
12 interpretations that could have been made of the same  
13 evidence.

14 Would it have been wiser to have had the question of  
15 how this material should be interpreted as quite  
16 separate from the material that you produced? If the  
17 Prime Minister wanted to talk about it, he should have  
18 talked about it elsewhere?

19 SIR JOHN SCARLETT: And not in the foreword?

20 SIR LAWRENCE FREEDMAN: And not in the foreword.

21 SIR JOHN SCARLETT: Maybe, yes. But I can't honestly say  
22 that that point was in my mind and I was focused on that  
23 issue or that risk at the time. If I had been, then  
24 I would have expressed a thought.

25 SIR LAWRENCE FREEDMAN: Then just -- also you mentioned --

1 and this goes back to something you said much earlier  
2 when you were talking about the assessments made of the  
3 situation in the north and south Iraq -- that these were  
4 blunt and presented it to the Prime Minister. When was  
5 this?

6 SIR JOHN SCARLETT: February, I think. The first part of  
7 February 2003.

8 SIR LAWRENCE FREEDMAN: Without going into the detail, blunt  
9 suggests not very reassuring. I was just wondering what  
10 the Prime Minister's reaction was to those assessments?

11 SIR JOHN SCARLETT: I don't know exactly. I can't quote  
12 a reaction back, but the assessment about the south did  
13 make clear the risk of serious disorder, serious --  
14 revenge attacks against the regime, serious humanitarian  
15 issues potentially and made the point that it could not  
16 be taken for granted that the post-Saddam administration  
17 would automatically have this sort of popular support.

18 For that to be the case, then expectations  
19 particularly around development and reconstruction,  
20 would have to be met and that was clearly stated.

21 SIR LAWRENCE FREEDMAN: Thank you very much.

22 BARONESS USHA PRASHAR: Sir John, mine is more  
23 a clarification.

24 You said that following the presentation which was  
25 made on 4 September, Assessment Staff were instructed to

1 firm up. Can you just unpack that for me? What does  
2 that actually mean? What could Assessments Staff  
3 instructed to firm up --

4 SIR JOHN SCARLETT: The judgments -- the discussion on  
5 4 September, Lady Prashar, was on the basis of a draft  
6 classified assessment on chemical and biological options  
7 that Saddam had. And so that draft had been written in  
8 the preceding week or so. And in that very same time,  
9 new intelligence which was significant, described as  
10 reliable authoritative intelligence, had come in.

11 That intelligence was discussed at the meeting, as  
12 would normally happen, by the JIC. It was considered to  
13 be important and so, as a result of that discussion, the  
14 draft paper wasn't approved automatically on the spot or  
15 by the JIC. The Assessments Staff who were the drafters  
16 were sent away to reconsider the judgments, to take more  
17 account of the intelligence which was coming in, and in  
18 the view of the Committee, that intelligence was  
19 sufficiently authoritative to firm up the judgment on  
20 whether Iraq did or did not currently possess chemical  
21 and biological agents.

22 And there was quite a firm judgment on that already,  
23 but it went to a firmer judgment on the basis of that  
24 intelligence.

25 So the intelligence was actually cited in the

1           classified assessment to explain -- to explain the  
2           change. That was the instruction which, of course, is  
3           the job of the JIC to give such an instruction.

4   BARONESS USHA PRASHAR: And that was information that was  
5           used in the dossier later on?

6   SIR JOHN SCARLETT: Yes. Well, the JIC also said -- because  
7           at that stage, it was known that the dossier was  
8           beginning to be prepared for publication reasonably  
9           soon. So there wasn't a detailed discussion at all  
10          about the dossier. That didn't happen until about  
11          a week later, but the Assessments Staff were told to  
12          take that intelligence into account in what was written  
13          in the dossier. But the point was to make sure that  
14          what the dossier said was in line with what the current  
15          assessment said.

16   BARONESS USHA PRASHAR: Okay.

17   THE CHAIRMAN: That, I think, brings us to the end of the  
18          session unless, Sir John, there was any particular point  
19          you would wish to register today.

20                 We shall, as a Committee, be pursuing these issues  
21          in a private session in the future, but we will now  
22          break for about ten minutes, after which we are going to  
23          be talking with the two invasion commanders,  
24          Air Chief Marshal Burridge and Lieutenant General Brims.  
25                 Back in ten minutes. Thank you to your our witness.

1 (3.40 pm)

2 (Short break)

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