

The Hutton Inquiry

Chronology

On 29 May 2003 Andrew Gilligan, Defence Correspondent for *Today*, broadcast a number of reports about the dossier published by the Government in September 2002 entitled *Iraq's Weapons of Mass Destruction*.

At 6.07am he did a live 'two-way' (a report in the form of an interview with a presenter) which raised serious questions about the dossier, in particular its claim that Iraq had weapons of mass destruction ready for use in 45 minutes. Andrew Gilligan said "one of the senior officials in charge of drawing up that dossier" had told him "the government probably knew that the 45-minute figure was wrong even before it decided to put it in".

Andrew Gilligan also reported his unnamed source as saying that "Downing Street ... ordered it [the original draft of the dossier] to be sexed up, to be made more exciting and ordered more facts to be discovered"; and that the published dossier upset the Intelligence Services because "it didn't reflect the considered view they were putting forward".

That weekend, the *Mail on Sunday* published an article by Andrew Gilligan naming Alastair Campbell, the Government's then Director of Communications, as the person identified by the source as responsible for including the 45-minute claim in the dossier.

The Government strongly denied these stories. The BBC stood by its decision to broadcast the *Today* item. There was a private exchange of correspondence between the Government and the BBC. In late June, Alastair Campbell called for an apology from the BBC during a televised

hearing of the House of Commons Foreign Affairs Committee, and released one of his letters of complaint to the press. The BBC in its reply again stood by its decision to broadcast the report.

At the end of June, Andrew Gilligan's source, Dr David Kelly, a Ministry of Defence (MoD) scientist, told his manager that he had spoken to Andrew Gilligan and might be a source for the *Today* report.

While the MoD was investigating this (and before Dr Kelly's identity became public) the BBC Chairman, Gavyn Davies, called a special meeting of Governors on 6 July. A statement afterwards said the Board was "satisfied that it was in the public interest to broadcast Mr Andrew Gilligan's story". The Governors criticised two aspects of *Today's* handling of the story: they said the production team "should have kept a clearer account of its dealings with the MoD"; and "could also have asked the No 10 Press Office for a response prior to broadcasting the story". The Governors also said they intended to look again at the rules for BBC reporters and presenters writing for newspapers.

On 9 July, Dr Kelly's identity was made public by the MoD. On 18 July, he was found dead near his home in Oxfordshire. The BBC made a statement expressing deep regret for the death of Dr Kelly and confirming that he had been Andrew Gilligan's source. The Government asked Lord Hutton to investigate the circumstances surrounding the death and he published his report in January 2004.

During the inquiry the BBC accepted it had made mistakes and Andrew Gilligan

accepted that some of his reporting had been inaccurate. The BBC admissions were:

- the 6.07 broadcast should have been scripted
- the 6.07 broadcast contained inaccuracies. It did not distinguish sufficiently between what Dr Kelly had said and Andrew Gilligan's interpretation of what he had said. The BBC accepted that Dr Kelly did not say the Government had put in the 45 minutes claim when they probably knew it was wrong; nor did he say that Downing Street ordered more facts to be discovered
- the BBC accepted that one of its replies to Alastair Campbell contained two factual errors
- the BBC accepted that Andrew Gilligan's notes should have been examined earlier than they were
- the BBC accepted that, although Alastair Campbell had not taken up an invitation to refer his complaint to independent investigation, the BBC itself should have referred his letter of 26 June to the BBC Programme Complaints Unit for independent investigation

In his conclusions, Lord Hutton exonerated the Government of almost all blame for their handling of the events investigated. On the central issues, Lord Hutton's view was: the wording of the dossier was consistent with the available intelligence; the allegation that the Government probably knew the 45-minute claim was wrong before it went into the dossier was unfounded; the allegation of 'sexing-up' was also unfounded.

Lord Hutton's main findings on the BBC were:

- the editorial system which the BBC permitted was defective in that

Andrew Gilligan was allowed to broadcast his report without editors having seen a script and considered whether it should be approved

- BBC management was at fault for failing to investigate properly the Government's complaints in that Andrew Gilligan's notes should have been examined earlier, and that when they were, there was a failure to appreciate that they did not fully support the 6.07am broadcast allegations
- the BBC's management system for considering complaints was defective in that an email critical of Andrew Gilligan's reporting from Kevin Marsh, Editor of *Today* to Stephen Mitchell, his line manager, was not passed further up the chain
- the BBC Governors should have made more detailed investigations into the extent to which Andrew Gilligan's notes supported his report

In the 24 hours following publication, Gavyn Davies resigned as Chairman and Greg Dyke, the Director-General, offered his resignation to the remaining Governors and it was agreed that he would leave the BBC. Lord Ryder agreed to become Acting Chairman while a permanent replacement was found, and the Governors appointed Mark Byford Acting Director-General.

In September 2003 the Governors had asked Greg Dyke to formulate proposals for reform of key areas including BBC complaints-handling, and the *BBC Producers' Guidelines* covering the breaking of controversial stories and the use of anonymous sources. Mark Byford took this work forward and commissioned Ronald Neil, a former senior BBC editorial

executive, to lead a review on behalf of the Director-General.

Shortly after Lord Hutton published his report, Andrew Gilligan left the BBC of his own volition. An internal disciplinary process was conducted. No dismissals resulted. A statement at the end of the process in May 2004, made two points of clarification.

Firstly a core script had been properly prepared for the *Today* programme of 29 May 2003. This had been cleared in line with normal production practices in place at the time, but was then not followed by Andrew Gilligan. The BBC's evidence to the Hutton Inquiry could have been clearer in this respect.

Secondly it had not been necessary for the email sent by the Editor of *Today*, Kevin Marsh, to the Head of Radio News, Stephen Mitchell, to have been passed further up the chain. The impression given by the BBC's evidence to the Hutton Inquiry was that this email did not reflect the view of senior news management. In fact it did and those views had been the subject of recent discussion. Therefore the implied criticism of Stephen Mitchell and Kevin Marsh was unjustified.

Governors' commentary

At the heart of this narrative lies the death of Dr David Kelly. Lord Hutton's report made clear no one could have predicted he would take his life. The BBC has expressed its condolences to Dr Kelly's family, and we wish to do so again here.

We have no doubt Dr Kelly's allegations merited a place in BBC output as information on a matter of clear public interest from a credible source. But BBC journalism values accuracy and impartiality. The reporting here was neither sufficiently accurate nor sufficiently impartial since the Government was not asked to respond before broadcast.

We, and management, have apologised for the mistakes the BBC admitted before and during the Hutton Inquiry. We have taken steps to improve some BBC processes:

- BBC complaints-handling processes are being reformed to make them clearer, fairer and more responsive
- Management is implementing all the proposals from the Neil Review, including revised editorial guidelines and procedures, and improvements in the training of BBC journalists.
- We have ensured that BBC staff, and regular freelance journalists whose main profile or income comes from the BBC, are no longer allowed to write newspaper or magazine columns on current affairs or other contentious issues

We are confident the right lessons have been learned and appropriate measures are being implemented. The BBC, under its new leadership, can now look to the future.