

War Crimes I

Macavity's not there

*Gordon Brown MP
and others*

*Gordon Brown's
announcement of the
Chilcot Inquiry into the
Iraq War, which was to sit
in private, has been
roundly criticised, not least
by the military. This set in
train a series of u-turns,
retreats and obfuscations,
some of which are
documented here.*

On 15 June 2009, Prime Minister Gordon Brown told the House of Commons of his plans for an inquiry into the British Government's role in the Iraq War. He said:

'... I am today announcing the establishment of an independent, privy-counsellor Committee of Inquiry. It will consider the period from summer 2001 before military operations began in March 2003, and our subsequent involvement in Iraq until the end of July this year ...

The Committee of Inquiry will have access to the fullest range of information, including secret information. In other words their investigation can range across all papers all documents and all material. So the inquiry can ask for any British document to come before it and any British citizen to appear. No British document and no British witness will be beyond the scope of the inquiry. And I have asked the members of the inquiry that the final report of the inquiry will be able to disclose all but the most sensitive information, that is, all information except that which is essential to our national security.

The inquiry will receive the full co-operation of the Government – with access to all Government papers and the ability to call any witnesses – with the objective to learn the lessons from the events surrounding the conflict ... Taking into account national security considerations as the Franks Inquiry did [into the Falklands War] – for example, what might damage or reduce our military capability in the future – evidence will be heard in private. In this way also evidence given by serving and former ministers, military officers and officials will, I believe, be as full and

candid as possible ... The inquiry will take into account evidence submitted to previous inquiries ... the committee will start work as soon as possible after the end of July, and given the complexity of the issues it will address, I am advised it will take one year. As I have made clear, the primary objective of the committee will be to identify lessons learned. The committee will not set out to apportion blame or consider issues of civil or criminal liability.'

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The Prime Minister's announcement elicited widespread criticism, not least from military men, but also from Lord Butler, who had chaired the earlier Review of Intelligence on Weapons of Mass Destruction, which reported in July 2004.

'There is only one reason that an inquiry is being heard in private and that is to protect past and present members of this government ... We have worrying questions about how intelligence was ramped up to suit Tony Blair and his cronies and their reasoning for invasion. There is no reason why intelligence officials alone should have to carry the can for this.'

Air Marshal Sir John Walker, former head of Defence Intelligence

'And they do have to look at the intelligence that Blair used ... which at the end turned out to be fool's gold.'

General Sir Mike Jackson, then Chief of the General Staff

'... the Falklands was essentially a failure of intelligence. Here we are looking at something much more serious: the allegation that a British government manipulated intelligence to take part in an illegal war. There is no reason why the public should not be able to hear the witnesses and judge what they say for themselves. We should not have to depend on a group of people handpicked by the current Government. A report from a secret inquiry will look like a whitewash.'

Major General Julian Thompson, who commanded the Royal Marines in the Falklands war

'There is no prospect that an inquiry conducted entirely in private can purge the national feeling of mistrust ... I reluctantly conclude that the form of the inquiry proposed by the Government has been dictated more by the Government's political interest than the national interest ... The question arises: should the form of an inquiry into the actions of the

Government be determined exclusively by the Government?’

*Lord Butler of Brockwell, former cabinet secretary
who investigated the intelligence about Iraqi weapons*

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Three days later, on 18 June, the Prime Minister wrote to the chairman of the new inquiry, Sir John Chilcot, and asked him to consider holding some sessions in public. He urged Sir John to hold an open session to ‘explain in greater depth the significant scope and breadth of the inquiry’ and to meet relatives of the servicemen killed in Iraq – either in public or in private – to explain how it would operate. He also asked him to take evidence on oath.

On 19 June, Steve Richards wrote in The Independent:

‘... I am told Brown did give some thought to opening up parts of the inquiry from the beginning, but in the end he followed the advice of Alastair Campbell and Blair’s other most senior advisor in No.10, Jonathan Powell, in opting for an investigation behind closed doors. Both Powell and Campbell were involved in discussions that preceded the decision. In particular Campbell warned that parts of the media would become obsessed once more in the run up to an election.

Brown also worried that an open inquiry would be seen as a snub to Blair. He had a long conversation with Blair last week. I would be amazed if this subject did not come up ...’

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On 21 June, in The Observer, Philippe Sands QC, made a crucial distinction between national security and national embarrassment.

‘When he served on the Butler inquiry, Sir John [Chilcot] had documents before him that raised serious questions about the circumstances in which Lord Goldsmith gave his legal advice. Yet these documents – or the information they contain – have never been made public. The Butler inquiry had before it, for example, correspondence between Jack Straw and Tony Blair that undermined the case for going to war, noting Colin Powell’s view that “if there was an insufficient case for a second resolution, there would be an insufficient case for the US to go unilateral”. Sir John will also have seen a note written by Sir David Manning that provided a detailed account of the White House meeting of 31 January 2003 between Blair and President Bush. From this note, it looks clear that Bush and Blair recognised the inadequacy of the

intelligence, had failed to make any proper preparation for post-war planning and had decided to start the war in mid-March 2003 regardless of a further Security Council resolution.

Documents like this raise issues of national embarrassment, not national security.'

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John Kampfner made a salient point in The Spectator of 24 June.

'The charge sheet is long and yet the dock is empty. One of the most extraordinary aspects of Britain's involvement in the Iraq war has been the ability of those responsible to evade any form of reckoning. For that they have many people to thank, including incurious journalists and pliant judges. But most of all, Tony Blair is in debt to his New Labour friends for their efforts to get him off the hook – in recent days, Peter Mandelson and Gordon Brown.'

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Have we learned nothing from our follies in Iraq?

Do we need to repeat them in Afghanistan?

Or Iran?

Keith Norman
General Secretary

Alan Donnelly
President