

**LETTER FROM URSULA BRENNAN, PERMANENT UNDER-SECRETARY OF
STATE AT MINISTRY OF DEFENCE TO SIR GUS O'DONNELL**

10 October 2011

Dear Gus,

REVIEW OF THE DEFENCE SECRETARY'S MEETINGS WITH ADAM WERRITTY

You asked me for a summary of my interim findings.

Process

2. The information and conclusions in this note are drawn from an analysis of the Secretary of State's diary and from conversations with some of the key parties. There has not yet been time for a thorough analysis of the evidence; this will be conducted this week. I have commissioned a trawl for the email and electronic evidence on:

- Overseas trips:
 - Details from Dr Fox's diary for the 18 trips (including holidays) on which it is believed that Adam Werritty was present.
 - Details of who else was present on these trips and who attended which formal and informal event.
 - Emails, diplomatic telegrams, trip reports from the MOD international teams, and Private Office meeting notes from these visits.
- Correspondence about diary dates concerning these trips – to establish whether staff from the Secretary of State's Private Office provided information to Adam Werritty about dates, timings and locations of visits.
- Emails between the Private Office and Adam Werritty to establish whether information (other than in connection with the diary) was communicated to Mr Werritty.
- Security control logs which will show the dates on which Mr Werritty visited the MOD Main Building.

3. I have also commissioned a series of interviews with past and present members of Dr Fox's Private Office, including special advisers, staff who travelled with the Secretary of State on relevant visits and the Secretary of State himself to confirm their recollections of the events in question.

4. Although there is still further material to be checked, I am already clear that there are areas where the current guidance on propriety and the management of Ministerial Private Offices needs to be strengthened.

Interim Findings

Adam Werritty's visits to MOD Main Building

5. Further work on the logs showing people who have entered the MOD Main Building suggests that Adam Werritty was present on 22 rather than 14 occasions. I believe this now to be an accurate record of Mr Werritty's visits, but I cannot exclude the possibility that there may have been a visit which for whatever reason was not recorded in the logs. I have spoken to the Principal Private Secretary and other members of the Private Office staff; they believe that Adam Werritty's visits to the Main Building were largely personal conversations with the Defence Secretary. They are confident that the Department did not provide Mr Werritty with classified papers or briefings. This is confirmed by Dr Fox, who pointed out that while on most occasions Mr Werritty came to his office, there were occasions when the two met in the Pillared Hall coffee bar in the MOD Main Building.

6. In the analysis to date I have found only four instances where others were present during these visits. Two of these cases occurred when a Private Secretary and a Special Adviser were present to discuss diary arrangements for the lecture in Sri Lanka. A third occurred when a Sri Lankan visitor called on the Defence Secretary for a discussion which Mr Werritty had organised; he accompanied the Sri Lankans. The fourth was an occasion when Mr Werritty was present during a meeting with the then forthcoming Ambassador to Israel. Dr Fox acknowledges that it was not appropriate for Mr Werritty to have attended such a meeting at the MOD.

7. In the next phase of the investigation I will seek to confirm the dates and times of the known visits and whether there were any other visits where others were present apart from Dr Fox and Mr Werritty.

Overseas trips

8. The Defence Secretary's overseas visits are complex, often involving brief stop-overs en route from one location to another, with meetings being arranged and re-arranged at short notice. Some meetings start or finish with personal time, e.g. when the Secretary of State is on holiday and others contain periods of "downtime" for personal relaxation during the busy schedule. Some overseas trips include political engagements. Maintaining an appropriate degree of separation between

these elements is complex, but is necessary for reasons of propriety. The Department needs to ensure that a clear distinction is made between party political, personal and government business, to avoid the occurrence of actual or perceived conflicts of interest. There is, however, a potential grey area, where personal or party political meetings or events take place during times when the Secretary of State is not accompanied by a Private Secretary; such events can potentially stray into government business.

9. On the question of distinguishing between party political and government business, for the avoidance of doubt, I believe it would be helpful to make it clear that it is the responsibility of the Minister to report immediately to the Private Secretary any instance where there has been discussion touching on Departmental or wider government business at a party political or personal meeting or event.

10. On the distinction between personal time and official business, I have not found any evidence that the rules on paying for personal travel and accommodation have been breached.

11. On the "grey area", I believe that further guidance is needed to assist Ministers and Private Office staff who are responsible for managing Ministers' diaries. Some trips will cross a week-end; others will have free time because of a holiday in the country in question, or because meetings had to be cancelled. In general, the Private Office will need to know where the Minister will be (for security purposes) and how to maintain contact; apart from this, the Private Office should not intrude on the Minister's personal free time. The evidence suggests that there has been at least one occasion (the meeting with Harvey Boulter) when the Defence Secretary had a planned meeting on MOD business, due to take place during free time. The nature of this encounter was not known to the Private Office and therefore they did not arrange to have a Private Secretary present. To avoid this happening again, Private Offices should ensure that their Minister is clear that any meetings or visits due to take place during personal time should not touch on government business. If there is a risk that a personal meeting may stray into government business, the Private Secretary should ensure that an official be present.

12. It appears that there have been occasions when Adam Werritty was present at informal or social gatherings (eg an informal dinner), in the margins of conferences or other events attended by the Defence Secretary. In future on all Ministerial visits (in the UK and abroad) the Private Office should clarify the attendance of people not part of the Ministerial party (other than the spouse/partner of the Minister) at informal or social gatherings. For dinners, events etc organised by the Embassy/High Commission there will usually be an agreed guest list for any hospitality provided at UK government expense. Where the event is informal (eg the guests are paying their own way) or is organised by the host country, care should still be taken to ensure that there is no confusion about who is and is not a member of the Ministerial party.

Diary information

13. During the course of the review it has become apparent that the Defence Secretary provided or asked his office to provide some diary details to Adam Werritty, in connection with visits where Mr Werritty was to be present. In the next phase of the review I will confirm this from email records. Dr Fox has accepted that it is not appropriate to ask officials to provide Ministerial diary information to a third party. I will make clear to all Private Offices that they should not share diary dates, travel or accommodation information for their Ministers with third parties other than the Minister's spouse/partner, or third parties travelling with the Ministerial party.

Business Cards

14. I became aware of the allegation that Adam Werritty was handing out business cards describing himself as "Adviser to Rt Hon Dr Liam Fox" following a story in The Guardian on 19 August 2011, when I was on leave. The day after my return to the office (23 August) I raised the issue at my routine meeting with the Secretary of State. Dr Fox confirmed that he had already dealt with the problem and that it was wrong for Mr Werritty to have used such a card. When we discussed the issue again in the past few days I asked if the Defence Secretary had first become aware of the problem in August; he replied that he thought he first knew of it in June, and that this was when he had told Adam Werritty to stop the practice. This is confirmed by one of the Special Advisers, who recalls becoming aware of the problem in June, possibly as the result of an earlier press comment. He recalls that immediately after this the Defence Secretary and the Special Advisers held a meeting with Mr Werritty at which Dr Fox told Mr Werritty that this was unacceptable and he must stop issuing the business cards.

15. I am copying this letter to Dr Liam Fox.

Yours sincerely,

URSULA BRENNAN