

THE CHILCOT REPORT:
LESSONS FOR THE MACHINERY OF GOVERNMENT
A commentary by the Better Government Initiative

Key Issues

1. The Chilcot report offers many lessons on how the government tackled policy towards Iraq over an 8-year period. We now need to ask what, if anything, is there to prevent a future prime Minister in some future crisis behaving as Mr. Blair did?
2. The government has promised that the statements and debates on the report before the summer recess will not be the last word on the lessons to be learned. It will be important to test this commitment in the coming months. We believe Select Committees have an important role to play in this.
3. Chilcot raises important questions not only about the actions of Ministers but also about the accountability of senior public servants for the way government business was conducted. Civil servants who are Accounting Officers are already held directly accountable to Parliament for the regularity, propriety, value for money and feasibility of public expenditure. Where they judge that these criteria cannot be met they must seek a written direction to proceed from their Secretary of State that will be made available to Parliament. If they are also to be held to account for the proper conduct of business – which we would support – a similar arrangement should apply.

What does Chilcot tell us?

4. It is impossible adequately to summarise 2.6 million words in short order. To quote Chilcot: "the combat phase of military operation is widely judged to have been a success. Those who deployed on the operation and those who planned and supported it, military and civilian, deserve recognition for what they achieved." (There are, of course, other subsequent examples of professional skill and bravery by the Armed Forces and those working with them). Beyond this the report reveals muddled objectives, decisions drawing on assumptions and intelligence that turned out to be false, confused strategies, inadequate risk management and faulty and inadequately resourced execution. The invasion did not satisfy the tests for a Just War. As the report also puts it "the circumstances in which it was decided that there was a legal basis for UK military action were far from satisfactory".
5. The government's strategic objectives were not met despite substantial loss of life and a direct cost to the UK government of at least £9.2billion. (The impact on the people of Iraq of the invasion and its aftermath is, of course, on a completely different scale, not addressed here).

Decision-making in the run-up to the war

6. How did this come about? Clearly one dimension was that the government was over-centralised and its decision making dominated by the Prime Minister with the support of a small group around him. The report identifies five key ways in which decision-making was organised in the run up to the war each of which was highly questionable but went wholly or largely unchallenged:
 - The Prime Minister's habit of making policy and commitments through personally-drafted Notes to the US President, showing the drafts to his close advisers in No.10 but not (ahead

of dispatch) to the relevant Cabinet Ministers. To take just one example, the Prime Minister wrote a note to President Bush in July 2002 beginning "I will be with you, whatever". In practice the opening "I" was pledging the support of the government as a whole for the yet to be finally determined actions of another state, a pledge made without any consultation with his Ministerial colleagues.

- Iraq policy was not discussed in the Defence and Overseas Policy Committee (DOP). The last meeting of DOP on Iraq before the 2003 conflict took place in March 1999. The formally agreed policy of the government towards Iraq remained one of "containment" throughout the run up to the war.
- There was a failure to organise adequate Cabinet discussion of the Iraq strategy. Cabinet was given updates on diplomatic developments and had opportunities to discuss the general issues but the number of occasions on which there was a substantive discussion of the policy was very much more limited.
- Cabinet Ministers were not provided with proper legal advice: the Inquiry concludes that the Attorney-General should have been asked to provide written advice which fully reflected the position on 17 March and explained the legal basis on which the UK could take military action and set out the risks of legal challenge.
- Not all decisions were properly recorded and explained. Most decisions on Iraq pre-conflict were taken either bilaterally between Mr. Blair and the relevant Secretary of State or in meetings between Mr. Blair, Mr. Straw and Mr. Hoon. Some of those meetings were minuted; some were not. As the guidance for the Cabinet Secretariat makes clear, the purpose of the minute of a meeting is to set out the conclusions reached so that those who have to take action know precisely what to do; the second purpose is to "give the reasons why the conclusions were reached".
- One illustrative key example of a failure of explanation is that the Prime Minister concluded that Iraq was in breach of resolution 1441, which was an essential ingredient of the legal basis for the war, without seeking advice and the decision was recorded in a letter from No 10 in terms that Chilcot says could only be described as perfunctory.

7. Chilcot considers that there should have been collective discussion by a Cabinet Committee or small group of Ministers, on the basis of inter-departmental advice agreed at a senior level between officials, at a number of decision points which had a major impact on the development of UK policy before the invasion of Iraq - the report identifies eleven such key decision points. In addition to providing a mechanism to probe and challenge the implications of proposals before decisions were taken, a Cabinet Committee or a more structured process might have identified some of the wider implications and risks associated with the deployment of military forces to Iraq. It might also have offered the opportunity to remedy some of the deficiencies in planning.

8. Instead the inner circle of decision-making consisted of Mr. Blair, three special advisers, the head of the Secret Intelligence Service and the Chairman of the Joint Intelligence Committee (JIC) (both keen to see intelligence at the heart of decision-making) and one senior diplomat. This inner circle engaged bilaterally or trilaterally with Mr. Straw and Mr. Hoon, and on military matters with the Chief of the Defence Staff.

9. Decisions on the conduct of business rested with the Prime Minister and under him his Chief of Staff. The Prime Minister's foreign policy adviser, who was also head of the DOP secretariat, took his guidance on the conduct of business from the Prime Minister's Chief of Staff rather than the Cabinet Secretary. As requested by the Prime Minister, the Cabinet Secretary gave his priority to other areas of Cabinet Office business concerning delivery and reform. Chilcot states that "The responsibility of the Cabinet Secretary to ensure that members of Cabinet are fully engaged in ways that allow them to accept collective responsibility and to meet their departmental obligations nevertheless remains."

10. The report therefore clearly implies that the Cabinet Secretary is deemed to have what has been termed a “guardianship role” in support of collective government and proper decision-making for which he or she can be held to account - and the same consideration might apply to other top officials. If so, the question arises of how this is to be discharged or at least to be attempted to be discharged, if this role does not find favour with the Prime Minister or other Ministerial colleagues. Mr Blair told Chilcot “no one was saying to me ‘Do it in a different way’. I mean if someone had I would have listened to it.” He added: “you have there the people that you need there”. A minimum test for officials might therefore be the provision of active, regular and consistent advice in support of proper decision making even if in the event this were to be ignored.

11. But this may not suffice in matters of the gravest consequences as arose in the Iraq war. One option for the future would be extend the procedures underpinning the responsibilities and accountability of Accounting Officers to place an explicit responsibility on the Cabinet Secretary and perhaps permanent heads of departments to ensure that the machinery of government is conducted in accordance with the principles set out the Cabinet Manual and supporting documents on, for example, the detailed handling of Cabinet and Cabinet Committee business. If the Prime Minister or the government wish to conduct business in another way they can transparently amend the published Cabinet Manual and address the case for change in Parliament. If, however, officials are asked in effect to ignore established procedure for good government, they would be expected to seek a direction which would be reported to Parliament - perhaps as for other directions to the PAC and the Comptroller and Auditor General, but in addition to the Public Administration and Constitutional Affairs Committee.

12. We do not underestimate the difficulties this might involve for relations between officials and Ministers and its impact would depend on whether Parliament had an appetite to take such issues seriously. But, as for the power to seek a direction on financial and value for money matters, it might act as a constraint on the most egregious abuses of accepted standards of conduct of business.

13. We recognise too that some may argue that the way government is conducted is ultimately a matter for the Prime Minister, and the role of officials is simply to do what they are told. This is not, however, the principle that underpins the handling of public money in this country: the directions procedure allows officials to register their dissent and bring it to the attention of Parliament. The periodic disastrous consequences of largely untrammelled Prime Ministerial power - whether, for example, in the cases of Suez or Iraq - suggest the issue needs properly to be addressed.

The adequacy of subsequent collective decision-making

14. In the final run up to the invasion and subsequently more formal arrangements were put in place. It has to be said that these too failed to ensure effective planning and effective execution of policy or strategy. The report identifies that the management of a cross-government effort on the scale required in Iraq was a complex task requiring dedicated Ministerial leadership and a coherent interdepartmental effort in support. Responsibility for the effectiveness of the government machine falls, of course, to senior officials as well as the Prime Minister and responsible Secretaries of State. This responsibility was not effectively discharged.

Assumptions and strategy underpinning policy

15. In addition to questions of how, in what forums, and with what participants decisions were taken, the report raises major questions about the evidence and assumptions underpinning

policy, the coherence of government strategy, and how benefits, costs and risks were assessed. To take some examples:

- In the run up to the invasion policy was supported on the basis of flawed intelligence (particularly from the Secret Intelligence Service) and assessments by the JIC about Iraqi weapons of mass destruction which turned out to be incorrect. The public statements by the UK government conveyed more certainty than the assessments about Iraq's proscribed activities and the potential threat they posed.
- The fundamental driver of the government's policy was to achieve 'influence' with the US Administration over the case for war and subsequently over planning of the invasion and its aftermath. As Chilcot points out 'influence' should be a means to an end, not the goal of policy in itself. The Prime Minister chose not to attach any conditions to UK support for and participation in the conflict. In practice, and perhaps unsurprisingly, UK influence was limited.
- The government's ostensible strategy of coercive diplomacy rested on dual action at the UN and the mobilisation of armed force. The UK had no influence over the US military timetable, which, as could have been predicted, pre-empted the diplomatic action.
- The scale of the UK military contribution, including a substantial element of ground forces, was said to be designed in part to provide influence over US planning and to ensure the UK was not called on to play a significant military role in post-conflict Iraq. The influence over US planning is difficult to establish. In practice the UK's conflict role morphed into a substantial post-conflict role, as could have been, and was to an extent, foreseen.
- The post-conflict strategy was recognised as the key to strategic success. The report identifies that, in any undertaking of this kind, certain fundamental elements are of vital importance: the best possible appreciation of the theatre of operations; a hard-headed assessment of risks; objectives which are realistic within that context; and allocation of the resources necessary for the task, both military and civil. It concludes that all these elements were lacking in the UK's approach to its role in post-conflict Iraq. The Americans took most of the key decisions on post-Iraq planning without effective consultation with the UK as their coalition partner.
- The report points out that, between May 2003 and May 2007, there were more than 20 instances in which UK strategy and objectives were reconsidered. It recognises it is important to reassess any strategy in the light of changing circumstances or new information, but that is not the pattern that emerged in relation to the UK strategy for Iraq. The production of strategies consumed considerable time and energy, particularly in government departments, but new strategies did not result in substantial changes of direction. Crucially, UK strategies tended to focus on describing the desired end state rather than how it would be reached.
- The development of a coherent strategy which might have led to success was not helped by the actions of the Ministry of Defence (MOD) which with Ministerial support pursued levels of military operations in Iraq and Afghanistan that exceeded their planning guidelines and which increasingly prioritised the Afghan theatre. The Iraq campaign was left short of resources, including of key equipment. These were MOD-driven decisions.
- Ministers were not provided with estimates of costs when decisions were taken on the scale of the UK contribution to the invasion and on the UK's role in the post-conflict period. Decisions were not based on an objective and thorough weighing of benefits, costs, and risks.
- Throughout the UK's engagement in Iraq there was a tendency to focus on the most positive interpretation of events and failure to give weight to the candid analysis that was regularly supplied by the JIC, by some commanders in theatre, and by others that things were going wrong.

16. Diplomats, civil servants, the Chiefs of Staff and other senior military staff, and some intelligence staffs, of course played important roles in advising and supporting Ministers in

these aspects of decision-making. But the picture presented here, and the massive detail in the report itself, is not one of effective evidence-based policy and strategy development. Concerns were certainly expressed about aspects of government policy and their consequences, particularly around legal considerations. But generally staff got on with implementing - with in many cases skill and huge commitment - a policy generated at the top Ministerial level.

Lessons learned?

17. The events described in the report took place 10-15 years ago and there has been plenty of time to learn some of these lessons and introduce new structures and processes. Clearly some lessons have been learned. As the then Prime Minister pointed out in his statement to the House on 6 July the way the JIC operates was fundamentally reviewed in the light of the Iraq war following the Butler report, though it has never quite shaken off the damage to its credibility. The Iraq experience helped shape new structures and processes introduced in 2010 with the creation of a National Security Council supported by a National Security Adviser. But the product of these new structures in terms of strategy and its implementation on, say, Libya or Syria has hardly been judged an unalloyed success, even allowing for the innate difficulty of the problems to be tackled. As in the Iraq experience there remain questions over whether these new structures are properly resourced and whether the government has the understanding required to develop, implement, and refresh effective strategies as opposed to engaging in tactical problem-solving.

18. In relation to the report's conclusions on defence decision-making, Mr Cameron stressed the Government's commitment on defence expenditure and to regular defence reviews and that "sending our brave troops on to the battlefield without the right equipment was unacceptable". No doubt the follow up work which the MOD has now set in hand will focus on all the reasons why equipment shortages arose, including the unwillingness of Ministers to allow timely preparations for combat, weaknesses in MOD systems, and priority choices within the MOD.

19. Importantly Mr Cameron also said "that the culture established by Prime Ministers matters too. It is crucial to good decision making that a Prime Minister establishes a climate in which it is safe for officials and other experts to challenge existing policy and question the views of Ministers, and the Prime Minister, without fear or favour." A sceptic might question whether the message communicated by Ministers and their special advisers in relation to the work of the civil service during the coalition government or more recently has been one of valuing those who raise uncomfortable truths. We remain of the view that increased ministerial involvement in the process through which officials are selected for the most senior posts may impact adversely on the already-enfeebled capacity of officials to "speak truth to power" (as well as on perceptions of the political impartiality of civil servants).

The wider context

20. It is, inevitably, tempting to look at these events solely through the prism of government, and there can be few more fundamental choices than to go to war or not. But there is a wider context also. What Chilcot also tells us is what can happen in any institution where good governance fails, where a dominant individual or group of individuals hold near total sway, where voices of doubt or dissent are stifled, and where inconvenient facts or opinions are not allowed to surface. The parallels with certain corporate behaviours in the run up to the banking crisis are obvious but such circumstances can take hold in any corporate body or institution. There is no miracle antidote to such circumstances but they do emphasise the fundamental importance of sound governance structures, of the involvement in those governance structures of experienced, independent figures of real strength and integrity, and of all powerful institutions being regularly challenged by oversight bodies.

Next steps

21. We welcome the emphasis in the Chilcot report on the importance of collective government. Parliament needs to be satisfied that the serious weaknesses that the report identified in all aspects of decision-making have been tackled. If as the report suggests civil servants should be held to account for failings in the machinery of government – which we would support - their locus in relation to upholding appropriate standards of decision-making needs to be clarified and mechanisms put in place for discharging their accountability.

BGI
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