



House of Commons  
Home Affairs Committee

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# Unauthorised Disclosure of Draft Report

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**First Special Report of Session 2007–08**

*Special Report, together with written evidence*

*Ordered by The House of Commons  
to be printed 18 December 2007*

## The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

### Current membership

Rt Hon Keith Vaz MP (*Labour, Leicester East*) (Chairman)  
Tom Brake MP (*Liberal Democrat, Charshalton and Wallington*)  
Ms Karen Buck MP (*Labour, Regent's Park and Kensington North*)  
Mr James Clappison MP (*Conservative, Hertsmere*)  
Mrs Ann Cryer MP (*Labour, Keighley*)  
David TC Davies MP (*Labour, Monmouth*)  
Mrs Janet Dean MP (*Labour, Burton*)  
Patrick Mercer MP (*Conservative, Newark*)  
Margaret Moran MP (*Labour, Luton South*)  
Gwyn Prosser MP (*Labour, Dover*)  
Bob Russell MP (*Liberal Democrat, Colchester*)  
Martin Salter MP (*Labour, Reading West*)  
Mr Gary Streeter MP (*Conservative, South West Devon*)  
Mr David Winnick MP (*Labour, Walsall North*)

The following Member was also a Member of the Committee during the Parliament.

Mr Jeremy Browne MP (*Liberal Democrat, Taunton*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk)

### Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/homeaffairscom](http://www.parliament.uk/homeaffairscom) A list of Reports of the Committee since Session 2005–06 is at the back of this volume.

### Committee staff

The current staff of the Committee are Elizabeth Flood (Clerk), Jenny McCullough (Second Clerk), Elisabeth Bates (Committee Specialist), Sarah Harrison (Committee Specialist), Mr Tony Catinella (Committee Assistant), Mr Ameet Chudasama (Chief Office Clerk), Sheryl Dinsdale (Secretary) and Ms Jessica Bridges-Palmer (Select Committee Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 3276; the Committee's email address is [homeaffcom@parliament.uk](mailto:homeaffcom@parliament.uk)

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## Special Report

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1. Copies of the Chairman's draft Report on the Government's Counter-Terrorism Proposals were distributed to members of the Home Affairs Committee and Committee staff on the morning of 4 December. On 5 December a description of the contents of the draft, together with accurate quotations from it, appeared in an article in the *Financial Times* written by Jimmy Burns. At this stage, we had not considered the draft Report.
2. At our meeting on 6 December, when we were due to consider the draft for the first time, we launched an internal investigation into the circumstances of the leak, which involved writing to everyone who had received a copy of the draft or had had access to the draft electronically. However, we were unable to discover how the leak came about. The relevant correspondence is set out in the Appendices to this Report.
3. In accordance with the procedure laid down by the House,<sup>1</sup> we invited the Liaison Committee to give its views. The Liaison Committee concluded that the leak of the draft Report did represent a substantial interference with our work.<sup>2</sup>
4. We agreed the Report on the counter-terrorism proposals on 11 December and have subsequently published it. However, we consider that the leak and publication of the most sensitive parts of the Report made it difficult, and might have rendered it impossible, to reach agreement on the Report. As a result, we believe it to represent a substantial interference with the work of the Committee, and we are making this Special Report so that the matter may be placed before the Committee on Standards and Privileges.

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<sup>1</sup> CJ (1985–86) 252, following a recommendation by the Privileges Committee (Second Report, Session 1984–85, HC 555)

<sup>2</sup> Letter to Liaison Committee and reply

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# Written evidence

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## **Letter from the Chairman to Members and staff of the Home Affairs Committee on the leak of the draft Report on the Government's Counter-Terrorism Proposals**

The Chairman's draft Report on the Government's counter-terrorism proposals was distributed to each member of the Home Affairs Committee yesterday morning. On the front of each copy of the draft was a Note to Members reminding them that the text was in confidence and for the use of members of the Committee only. At the start of yesterday's meeting, I also drew the attention of those present to the need to keep the contents of the Report confidential. Today, the Financial Times contained an article describing accurately and quoting from the draft Report as circulated to the Committee.

The House has agreed the procedures to be followed in such cases. Everyone who had access to the draft must be asked whether they know anything about the leak. I am therefore writing to ask you formally if you can explain how such a leak came about.

We will discuss this at the Committee's next meeting, which is at 11.00 am tomorrow.

*Rt Hon Keith Vaz MP*  
5 December 2007

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## **Responses to the Chairman's letter of 5 December 2007 from Members and staff of the Committee**

Further to the letter which you handed to colleagues at this morning's meeting, I can state categorically that I was not responsible for the leak of the Draft Report to (a) the Financial Times, (b) the London Standard or (c) any other journalist. I wish you to know that I thoroughly disapprove of such breach of trust and disloyalty both to you and the rest of the Committee.

I share your anger and dismay that someone has leaked the Report, either in full or in part. I was not aware until this morning's meeting of the reports appearing in either of the newspapers mentioned.

It was my intention to read the Draft Report last evening, Wednesday, but instead I did so this morning just a couple of hours before the Committee meeting. I did not even open the envelope until about 8.30 am this morning.

I fully support the Committee's decision to refer this matter to Mr Speaker for an investigation.

*Bob Russell MP*  
6 December 2007

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As regards to your note to all members, I am not in a position to explain how the leak came about; all I can say is that I was in no way responsible and, as I said at the committee, deplore what occurred.

*David Winnick MP*  
10 December 2007

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Further to your letter of 5 December, regarding the leaking of the draft Report, I wish to deny any knowledge of the event.

The draft Report arrived in my office but I did not see it until after the Committee meeting as I was away from the House of Commons with the WEU. My private secretary, Emma Tilley, did not open the envelope as it was marked "Confidential".

*James Clappison MP*  
10 December 2007

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Further to your letter of 5 December 2007 I confirm that I have no knowledge of the leak of the Committee's Draft Report and I have not divulged the contents of the draft to anyone.

I hope that the source can be identified because suspicion is thrown on everyone when such a leak occurs.

*Janet Dean MP*  
10 December 2007

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I write, in response to your letter of 5 December to confirm that I had nothing whatsoever to do with the leaking of the Chairman's Draft Report on the Government's Counter-Terrorism Proposals.

To my knowledge I have not spoken to anyone working for, or connected with, the Financial Times since being elected as an MP.

*David T C Davies MP*  
11 December 2007

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I confirm that I did not leak the report on the Government's Counter-Terrorism Proposals.

*Martin Salter MP*  
14 December 2007

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I have absolutely no idea how the Counter-Terrorism Report was leaked.

*Gary Streeter MP*  
18 December 2007

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Many apologies for not replying more immediately to your letter asking for information about the draft Counter-Terrorism Report.

I was not responsible for leaking the draft report or any part of it. I had no conversation with anyone about it other than one or two other members of the Committee. I am afraid I have nothing to offer to help explain how it came to be in the public domain.

*Karen Buck MP*  
19 December 2007

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Please accept this as my absolute confirmation that I did not and would not leak this or indeed any other report. I fully support the strongest possible action against whomsoever did as it fundamentally undermines the work of the Committee.

*Margaret Moran MP*

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In response to your letter of 5 December, I did not leak the Chairman's draft Report on the Government's counter-terrorism proposals and I do not know how the leak came about.

It may be helpful if I provide information on who had access to a copy of the draft and a chronology of the morning of Tuesday 4 December.

*Elizabeth Flood, Clerk*  
10 December 2007

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In response to your letter of 5 December, I did not leak the Chairman's draft Report on the Government's Counter-Terrorism Proposals and I do not know how the leak came about.

*Jenny McCullough, Second Clerk*  
10 December 2007

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I am writing in response to your letter of 5 December 2007 concerning the leak of the Committee's draft report on the Government's Counter-Terrorism Proposals. I can confirm that I did not receive a copy of the draft report until the Committee's meeting on the morning of 6 December and that I have no knowledge of how the leak came about.

*Elisabeth Bates, Committee Specialist*  
10 December 2007

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Thank you for your letter dated 5 December 2007, regarding the leak of the draft report on the Government's Counter-Terrorism Proposals. I can confirm that I did not receive a copy of the draft report until the evidence session on 6 December and have no knowledge of how the leak came about.

*Sarah Harrison, Committee Specialist*  
10 December 2007

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In reply to your letter dated 5 December 2007 I can confirm that I have no knowledge of how the leak of the draft Report on the Government's Counter-Terrorism Proposals came about.

*Sheryl Dinsdale, Secretary*  
10 December 2007

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I am responding to your letter dated 5 December asking me if I can explain how the leak may have come about, or whether I knew anything that could have resulted in the confidentiality of the report being compromised.

I am unable to come to shed any light on how the leak came about or how the confidentiality of the Committee's proceedings was compromised.

*Tony Catinella, Committee Assistant*  
17 December 2007

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Further to your letter dated 5 December and your request asking me to explain how the leak may have come about, or whether I know anything that could have resulted in the confidentiality of the report being compromised.

Unfortunately, after much thought I am unable to come to a valid answer as to how this may have come about.

*Ameet Chudasama, Chief Office Clerk*  
17 December 2007

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#### **Letter from the Chairman to other staff in the Committee Office**

I understand that you have received a copy of the Chairman's draft Report on the Government's counter-terrorism proposals on the morning of Tuesday 4 December. You are aware that the text was in confidence and for the use of members of the Committee only. On 5 December, the Financial Times contained an article describing accurately and quoting from the draft Report as circulated to the Committee. The Evening Standard also quoted from the draft.

The House has agreed the procedures to be followed in such cases. Everyone who had access to the draft must be asked whether they know anything about the leak. I am therefore writing to ask you formally if you can explain how such a leak came about.

The Committee will discuss this at its next meeting, which is at 10.00 am tomorrow. I would be grateful for your response before that time.

*Rt Hon Keith Vaz MP*  
10 December 2007

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#### **Response to the Chairman of the Committee from other staff in the Committee Office**

I have no idea how the leak occurred. I kept my copy sealed and locked away, and did not show it to anyone.

*Robert Wilson, Principal Clerk of Select Committees*  
10 December 2007

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Thank you for your letter of 10 December. I can confirm that I have received an electronic copy of the draft Counter Terrorism report but I have spent little time in the office since then due to family problems. I had opened the document and read the first couple of pages but I have not printed it off, sent it to anyone or talked to anyone about the content.

*Gemma Buckland*  
*Home Affairs and Justice Public Policy Specialist*  
*Scrutiny Unit*  
*10 December 2007*

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**Responses to the Clerk of the Committee's letter of 10 December 2007**

I am writing in reply to your letter of 10 December regarding the leak of the Chairman's draft report on the Government's Counter-Terrorism proposals.

I can confirm that I have no knowledge as to how any sections of the report became available to the media. As I mentioned in our meetings previously I am strongly disappointed that this has occurred as I believe such leaks are extremely detrimental to the work of the Committee.

I hope that the forthcoming inquiry into this leak will provide answers as to what has occurred and who was responsible.

*Rt Hon Keith Vaz MP*  
*11 December 2007*

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I am writing in reply to your letter of the 10 December regarding the leak of the Chairman's draft report on the Government's counter-terrorism proposals.

I can confirm that I received an electronic version of the report on the 4th December and that no individual except the Chairman had access to this copy.

*Vernon Hunte*  
*Office of Rt Hon Keith Vaz MP*  
*11 December 2007*

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In response to your letter regarding the lead of the draft Counter Terrorism report, I cannot shed further light on how the breach came about.

I in fact must confess to having been rather ill-prepared for the meeting to discuss and consider the draft report and by the time the leak appeared in the Financial times I had not actually read, or printed, a copy of the report at all, and did not myself have a hard copy.

I do of course have access to the Committee's shared drive and would be very happy to have my computer forensically investigated to indicate the timing of my access and use of the report.

*Jessica Bridges Palmer*  
*Select Committee Media Officer*  
*4 January 2008*

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