Britain's whistleblower scandal: Slanders against BBC's Andrew Gilligan

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On July 24, Andrew Gilligan was reported to have requested that the transcript of his July 17 testimony before the Foreign Affairs Committee (FAC) not be released. The Committee was investigating whether the government had lied over Iraqi weapons of mass destruction (WMD). Gilligan had called for it to remain private until it was submitted to the judicial inquiry into whistleblower Dr. David Kelly's death.

Gilligan is the BBC *Today* programme journalist whose radio broadcast at the end of May cited a source stating that the Labour government had "sexed up" its September intelligence dossier to exaggerate the threat of Iraqi weapons of mass destruction and reinforce the case for war. An embattled Prime Minister Tony Blair had been forced to agree the convening of two parliamentary inquiries to divert mounting criticism of its lies over WMD programmes. In the course of these inquiries, the government targeted the BBC for a vituperative attack to divert attention away from itself. The government forced Gilligan's source, Ministry of Defence microbiologist and former weapons inspector Dr. David Kelly, to be made public and made him testify to the two inquiries. The next day, on July 17, Kelly was found dead near his Oxfordshire home, having bled to death from a slashed wrist. An inquiry into Kelly's death has been convened, headed by Lord Hutton.

The FAC said it had only agreed not to publish Gilligan's testimony "reluctantly," after also receiving a letter from BBC chair Gavyn Davies. The move came as something of a surprise, given that what Gilligan had said to the inquiry had become the subject of heated disagreement.

On the day Kelly died, Gilligan had given additional testimony at the request of the Committee, which was pushing hard for him to confirm that Kelly was the source for his story. The session was convened at short notice while the only Conservative MP on the Labour-dominated committee was on holiday.

As soon as it ended, Labour MP and committee chairman Donald Anderson described the meeting as an "unsatisfactory session with an unsatisfactory witness" and claimed that Gilligan had changed his story.

Gilligan had denied this allegation, described the meeting as a "kangaroo court" and said the committee was "quite determined to lynch me." Both sides had insisted that the transcript of the closed session be published.

A BBC spokesman gave as Gilligan's reason for asking that his testimony be withheld a belief that "it would surely be more appropriate that the transcript be made available during the course of [Lord Hutton's] inquiry" and a desire for "restraint" at a time when Kelly's family was grieving.

But this was not the explanation given out by a member of the Foreign Affairs Committee and seized on by sections of the media, which indicated that Davies' letter—described by Anderson as "a private communication from the chairman of the BBC, which has to remain confidential"—had raised concerns about Gilligan's mental state of depression.

A report in that same day's *Telegraph* contained a statement by an unnamed "Westminster source" who claimed that the BBC was worried about Gilligan's state of mind: "They want the evidence to be handed to the Hutton inquiry instead. They are worried that Gilligan is in a state of mind similar to Dr. Kelly's before he took his life."

A BBC statement rejected the claims, with a spokesman declaring, "Andrew Gilligan's mental state is perfectly normal and to question it is totally underhand. We don't know who has made these suggestions, but they are completely untrue and we are happy to point that out."

The next day, the *Daily Mirror* defence correspondent Tom Newton wrote that "A Labour MP loyal to Tony Blair is believed to be behind shocking new slurs that BBC journalist Andrew Gilligan is cracking up and close to suicide."

It appears that the *Telegraph*'s source was Labour MP Eric Illsley, who sits on the Foreign Affairs Committee and who has been most forthright in criticising the BBC and displaying hostility to Gilligan. He has at least admitted to having claimed that Gilligan was "close to the edge" over the death of Kelly.

Illsley has said Gavyn Davies was the first to raise fears

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about Gilligan's state of mind, bluntly accusing Davies and the BBC of lying. He claimed, "Then Gavyn Davies rang asking us not to publish the testimony because Gilligan was 'close to the edge'.

"This was supposed to be a confidential conversation but it got out. Several people knew about it, including me. I may have repeated what Mr. Davies said but other people knew of his views. I have told people what was said but I have never suggested Andrew Gilligan is close to suicide.

"The story's come from Gavyn Davies. There's no two ways about that."

A BBC spokesman responded: "In the chairman's letter to Donald Anderson and in his telephone call there was no mention whatsoever about Andrew Gilligan's state of mind.

"His only concerns about releasing Mr. Gilligan's transcript of his evidence to the committee was to show due respect to Dr. Kelly's family as his funeral will be very soon. It was an appeal for restraint. We do not want to get into speculation about why Mr. Illsley would make such comments."

On July 28, the *Mirror* featured an exclusive interview with Gilligan in which he denounced the government for waging a "disgraceful" smear campaign against him.

Gilligan told the *Mirror*, "Frankly, over the last few weeks I have felt more homicidal than suicidal at the parade of smears and lies which have been told about me and my reporting.

"Mr. Illsley is one of those who has behaved disgracefully and I will be writing to seek an apology."

The latest twist in the Kelly scandal must elicit strong warnings.

In the first instance, the decision to ask for Gilligan's testimony to be held back can only be seen as a retreat in the face of the political pressure he and the BBC have been placed under, as evidenced by their citing Blair's call for a period of restraint.

Gilligan was paid back not with restraint on the part of the government and its supporters, however, but a stepping up of their slander campaign to question his sanity. To expect anything else in future is unforgivable political naiveté, given that the survival of the government has been imperilled by the Kelly affair.

And for the same reason, Gilligan and the BBC's decision provides an unwarranted endorsement of the Hutton inquiry's bona fides.

The convening of such inquiries is always done to suppress, rather than reveal the truth. The Hutton inquiry has already become a mechanism for concealing facts that must be revealed, if how and why Kelly died is to be exposed. In any event, neither Gilligan, the BBC, the Foreign Affairs Committee, the government nor Lord Hutton must be allowed a veto over what evidence is made public. The search for the truth demands the release of Gilligan's testimony—as well as Davies' letter to the FAC.

There is another aspect of events that must be taken seriously. The claim attributed to a "Westminster source" and the comments of Illsley have the effect of placing political and emotional pressure on Gilligan, while undermining the veracity of anything critical he may have to say about the behaviour of the government in regard to the Hutton inquiry. After all, why should one believe a man who is supposedly unbalanced?

But the *Guardian*'s Zoe Williams argues that the claim that Gilligan is "close to the edge" could be interpreted as a more dangerous threat, given that the circumstances surrounding Kelly's death have not yet been investigated. In a tongue-in-cheek piece that nevertheless had serious intentions, she states, "I like a good conspiracy. If you were going to write a film about a real conspiracy, and you didn't want to make it too complicated, this is what you'd write. Scene 56 sees the Labour MP Eric Illsley casting doubt on the mental state of Andrew Gilligan, calling him 'close to the edge.' With respect to the floppiness of the expression, it basically means he's suicidal. And when people who already don't like you start questioning your will to live, be honest, doesn't a loud, Hitchcockian 'ching ching ching' go off in your head?"

Williams closes her column by predicting, "The one good thing to come out of being lied to is, I anticipate, a resurgence of the popularity of the conspiracy theory, which is really no more or less than keeping a critical distance."

It is a measure of the appalling state of most contemporary journalism that such expressions of "critical distance" are so rare and for the most part the official explanation of events is not questioned. No one who wants the full facts to emerge in the Kelly affair can lend credence to such a complacent approach.

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