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Summary

There were repeated calls for a broad-ranging official inquiry into the run-up to the Iraq war. Opposition Day debates in the House of Commons were used by both the Conservative party and others to press the government for an investigation.

The government resisted the calls, at first partly because it considered that there had been several inquiries already, later because the government argued that it would not be right for an inquiry to take place while troops were still serving in Iraq.

An inquiry under Sir John Chilcot was finally announced in 2009 but it now looks as if it will not publish its report until 2016. Details of the controversies over the Chilcot Inquiry can be found in the Library briefing paper [*Chilcot Inquiry and delays to publication*](#), 3 June 2015

1. Introduction

Throughout the 2000s, there were repeated calls in Parliament for an official inquiry into the Iraq war.

When Gordon Brown replaced Tony Blair as Prime Minister in June 2007, there had been a lot of speculation that he would use the office to set up a big, wide-ranging inquiry into the run-up to the war, the conduct of military operations and the aftermath.

This turned out to be right. When military operations had finished, the Prime Minister announced the Chilcot Inquiry. The Chairman, Sir John Chilcot (a former civil servant), said the following at the inquiry's launch:

This is an Inquiry by a committee of Privy Counsellors. It will consider the period from the summer of 2001 to the end of July 2009, embracing the run-up to the conflict in Iraq, the military action and its aftermath. We will therefore be considering the UK's involvement in Iraq, including the way decisions were made and actions taken, to establish, as accurately as possible, what happened and to identify the lessons that can be learned. Those lessons will help ensure that, if we face similar situations in future, the government of the day is best equipped to respond to those situations in the most effective manner in the best interests of the country.

The inquiry interviewed witnesses from 2009 till 2011 and reviewed documents. It then prepared its report. However, the so-called Maxwellisation process, whereby individuals who are subject to criticism in the report are warned in advance, was one of the factors that delayed publication far beyond the expected period.

A source close to the inquiry said in 2015 that the report was not likely to come out until 2016.¹

¹ 'Long-awaited Chilcot report into Iraq War may not be published until next year', *Daily Telegraph*, 22 April 2015

2. Parliamentary debates calling for an inquiry

2.1 Opposition Day debate, 16 July 2003

On 16 July 2003 there was a Conservative Opposition Day debate, on the motion:

That this House welcomes the Ninth Report from the Foreign Affairs Committee on the Decision to go to war in Iraq, Session 2002–03, HC 813; but notes some reservations by Committee members that it not only had insufficient time but insufficient access to crucial documents to come to comprehensive and definitive conclusions on some of the issues; further notes the recent concerns raised over intelligence material; and calls on the Government to set up a judicial inquiry finally to establish the facts of the matter.²

This debate took place shortly after the publication of the Foreign Affairs Committee's report, mentioned in the motion, on 3 July 2003. In his opening speech the Shadow Foreign Secretary, Michael Ancram, laid emphasis on the use of intelligence and other material in making the case for action against Iraq. He argued that the affair surrounding the "dodgy dossier" of February 2003, and other presentational matters, had undermined public confidence and was "beginning to damage the national interest."³ He said,

there is an urgent unanswerable case for the Government to set up an independent judicial inquiry into what is now a matter of urgent public importance. It could be asked to report within six months, require the attendance of witnesses who could be examined on oath and compel the production of documents. It could get to the bottom of this murky pool, establish the truth and re-establish public confidence.⁴

The Foreign Secretary, Jack Straw, moved the Government amendment, to leave out from "House" to the end and add instead:

welcomes the Ninth Report of the Foreign Affairs Committee on the Decision to go to War in Iraq, Session 2002–03, HC 813; notes that substantial oral and written evidence, by and on behalf of the Government, was provided to the Committee; believes that the Intelligence and Security Committee, established by Parliament by statute, is the appropriate body to consider the intelligence relating to Iraq; and notes that this Committee has already begun its inquiry.⁵

Mr Straw's argument against a judicial inquiry was in three parts: that the procedures involved would make such an inquiry lengthy and

² HC Deb 16 July 2003, c287.

³ HC Deb 16 July 2003, c293.

⁴ Ibid.

⁵ HC Deb 16 July 2003, c294.

expensive,⁶ that judicial inquiries do not automatically bring matters to a close, and that the call for an inquiry was contrary to

the usual argument about the control and scrutiny of the intelligence and security services [which] has been that there ought to be stronger parliamentary scrutiny of them through the establishment of a Select Committee, rather than by the ISC [Intelligence and Security Committee]. My hon. Friend seems to be arguing that we should not have confidence in our own ability to scrutinise the work of Ministers.

The Conservative motion was defeated by 299 votes to 200, and the Government amendment was agreed to.

2.2 Opposition Day debate, 22 October 2003

On 22 October 2003 there was a Conservative Opposition Day debate, on the motion:

That this House is concerned at growing public confusion since the summer adjournment as a result of increasingly conflicting accounts of intelligence relating to and events leading up to the recent Iraq war and what has happened since; and calls for the setting up of a comprehensive independent judicial inquiry into the Government's handling of the run-up to the war, of the war itself, and of its aftermath, and into the legal advice which it received.⁷

Mr Ancram pointed to "a constant stream of charges against the Government," which he felt struck not only at the Government's reputation, but also at those of "the machinery of government and the integrity of our intelligence services themselves."⁸ These charges fell into four categories:

...first, the Government's failure to plan for the aftermath of war, which I have touched on already; secondly, the manipulation of intelligence and misrepresentation of what was intelligence and what was not; thirdly, questionable information and statements about weapons of mass destruction, both before and after the war; and, lastly, the basis of the Attorney-General's legal advice on matters pertinent to the war.⁹

He argued that Parliamentarians might not be the right people:

...the House has many strengths as both a legislature and a forum for debate, confronting, testing and holding to account. I am the staunchest of supporters of the parliamentary process, but are we, who are so closely involved in the events surrounding the war, credible arbiters of the truth about them?¹⁰

⁶ Mr Straw's account of this, including the "Salmon procedures," which he regarded as a key retardant, is at HC Deb 16 July 2003, c296. The procedures are discussed also in SN/PC/2599, referenced above, at

<http://hcl1.hclibrary.parliament.uk/notes/pcc/snpc-02599.pdf>.

⁷ HC Deb 22 October 2003, c663.

⁸ Ibid.

⁹ HC Deb 22 October 2003, c666.

¹⁰ Ibid.

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He also highlighted what he saw as the limitations of the reports by the Foreign Affairs Committee¹¹ and Intelligence and Security Committee,¹² in contrast to “a comprehensive, independent judicial inquiry:”

For all their excellent work and reports, neither the Foreign Affairs Committee nor the Intelligence and Security Committee has managed to make [the charges against the Government] go away. Indeed, in some areas they have raised new questions that in turn need to be answered. The charges will not go away until we have a comprehensive, independent judicial inquiry with the legal power to get to the very bottom of the facts and make a clear assessment and judgment of the truth.¹³

He concluded that such major questions of credibility were damaging to the national interest:

... a major and continuing question mark hanging over the credibility of the Prime Minister, the Defence Secretary and the Government as a whole. It is damaging to the national interest when there is a serious question mark hanging over the effectiveness and accuracy of our intelligence services; when there is a question mark hanging over the basis and reasons why we went to war in Iraq; and when confusion reigns and the truth appears increasingly to be the victim of spin and counter-spin. The confusion must be ended, the truth must be established, and the Government must be held to account. We need a comprehensive independent judicial inquiry to answer these questions.¹⁴

Mr Straw moved the Government’s amendment, to leave out from “House” and to add instead:

...notes that the Intelligence and Security Committee, established by Parliament by statute, and the appropriate body to consider the intelligence relating to Iraq, and the Foreign Affairs Committee have both carried out inquiries into matters relating to the decision to go to war in Iraq; further notes that substantial oral and written evidence, by and on behalf of the Government, was provided to both inquiries; believes that there is no case for a further inquiry, including a judicial inquiry; and further believes that, following the passage of UN Security Council Resolution 1511 on 17th October 2003, attention should now be focused on building a better future for Iraq and its people, and on offering full support to the coalition, including British military and civilian personnel, and the United Nations in this endeavour.¹⁵

Mr Straw drew attention to the inquiries by the Foreign Affairs Committee and the Intelligence and Security Committee, as well as the debates in the House, as examples of scrutiny, which he felt “undermine[d] the case now being made for a further judicial inquiry.”¹⁶ He also pointed to the Hutton inquiry, which could touch on

¹¹ Foreign Affairs Select Committee, *The decision to go to war in Iraq*, 3 July 2003, HC 813 2002-03
<http://www.publications.parliament.uk/pa/cm200203/cmselect/cmffaff/813/81302.htm>

¹² Intelligence and Security Committee *Report on Iraqi Weapons of Mass Destruction - Intelligence and Assessments to Parliament*, 11 September 2003, Cm 5972
<http://www.civil-service.net/wmd/iwmdia.pdf>

¹³ HC Deb 22 October 2003, c663.

¹⁴ HC Deb 22 October 2003, c671.

¹⁵ HC Deb 22 October 2003, c671.

¹⁶ HC Deb 22 October 2003, c684.

aspects of the decision-making process. He argued that a new inquiry would be a "huge diversion of effort."¹⁷

He also argued that the process leading to the decision to use force was political, rather than legal, because it concerned the questions of whether Iraq had breached its obligations under Security Council resolutions, and if so, whether the weapons inspectors should be given more time to do their work or, instead, military action should be taken. He said that "the idea that we should now find a judge who is willing to second-guess the most explicit of political judgements is absurd."¹⁸

The Liberal Democrats supported the Conservative motion. Their Foreign Affairs spokesman, Menzies Campbell, pointed to various questions and concerns surrounding the decision-making process over Iraq, and said,

if they do not raise sufficient anxiety to justify an inquiry of the kind proposed in the motion, I find it difficult to envisage circumstances in which such an inquiry would ever be thought to be necessary.¹⁹

He gave two reasons for a judicial, rather than parliamentary, inquiry. On the one hand, with reference to the reports of the Foreign Affairs Committee and the Intelligence and Security Committee, "our performance so far has hardly been brilliant," and on the other, "the fact that we are trying to deal with public confidence."²⁰ He concluded that

these are issues of such fundamental public importance that an inquiry that is accessible to the public, and shows them that we are not so precious of our responsibilities and performance in this place that we are unwilling to allow external scrutiny, is much more likely to command public confidence.²¹

Several Conservative Members argued that the Hutton inquiry's terms of reference were too narrow in scope and that it was impossible to separate much of the evidence presented there from wider issues. Mr Ancram claimed that the the issues being raised by the Opposition:

are pertinent to a wider inquiry, and should be put before such an inquiry as part of the whole picture.²²

Several Labour backbenchers, including some who had opposed the conflict in Iraq, spoke against the Conservative motion on the grounds that it was the responsibility of Parliament to scrutinise the Government over Iraq. Andy Reed said,

for those of us, especially those on the Government Benches, who opposed the war and still feel that that was the right decision, is not the problem with the motion the fact that it abrogates our responsibility to establish the truth of what did or did not happen? I have listened carefully to the right hon. Gentleman's comments, but should we not table questions in Parliament, not

¹⁷ HC Deb 22 October 2003, c673.

¹⁸ HC Deb 22 October 2003, c677.

¹⁹ HC Deb 22 October 2003, c687.

²⁰ HC Deb 22 October 2003, c688.

²¹ Ibid.

²² HC Deb 22 October 2003, c670.

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give those responsibilities to an outside body? I fear that we have not learned a great deal from all the machinations of the past few months. It is for each and every one of us to keep making the case in the House, not outside.²³

There was debate over the type of inquiry that might be held. The main precedent cited was the Franks inquiry, which took place after the Falklands war. Mr Straw stated that the Intelligence and Security Committee's report on Iraq had been more thorough and had had greater access to documents than the Franks inquiry. Mr Ancram pointed out that the Conservatives had tabled motions calling for an inquiry under the *Tribunals of Inquiry (Evidence) Act 1921*. Mr Straw suggested that an inquiry established under this Act would take several years to complete, and he referred to the example of the Saville inquiry, which had been sitting for five years.²⁴

The Conservative motion was defeated by 303 votes to 190, and the Government amendment was carried on division by 293 votes to 141.

2.3 Opposition day debate 31 October 2006

There was an SNP/Plaid Cymru opposition day debate on 31 October 2006 on the motion:

That this House believes that there should be a select committee of seven honourable Members, being members of Her Majesty's Privy Council, to review the way in which the responsibilities of Government were discharged in relation to Iraq and all matters relevant thereto, in the period leading up to military action in that country in March 2003 and in its aftermath.²⁵

Adam Price, who led for Plaid Cymru, asked:

What could an inquiry usefully do? There will inevitably be a range of views within the House, which is why we need a sufficiently broad remit. But three central questions need to be answered. How could the Government take us to war on claims that turned out to be false? When precisely was the decision to have this war made? Why has the planning for, and conduct of, the occupation proved to be so disastrous? Maybe the hon. Member for West Bromwich, West (Mr. Bailey) can give us some answers?

The government's amendment to the motion was that the House,

...recognising that there have already been four separate independent committees of inquiry into military action in Iraq and recognising the importance of learning all possible lessons from military action in Iraq and its aftermath, declines at this time, whilst the whole effort of the Government and the armed forces is directed towards improving the condition of Iraq, to make a proposal for a further inquiry which would divert attention from this vital task.

The Foreign Secretary summed up the Government's response as follows:

²³ HC Deb 22 October 2003, c663.

²⁴ HC Deb 22 October 2003, cc682-3.

²⁵ HC Deb 31 October 2006 c163-224

Unlike at the time of the Falklands war we now have a framework of Select Committees that carry out independent inquiries. I recognise that the official Opposition have tabled an amendment that suggests a Falklands-type inquiry in the next Session of Parliament, without pointing out that that begins in just two weeks. I am afraid that I think that that, too, is not sensible. It avoids none of the dangers of sending the wrong signals at the wrong time and distracting resources and attention from where they are most needed. Indeed, it risks appearing to set a deadline for our operations in Iraq which would be politically and militarily damaging.

And she went on to argue that there had already been several inquiries:

There have already been two parliamentary Committee reports on Iraq: the Foreign Affairs Committee report, "The Decision to go to War in Iraq", and the Intelligence and Security Committee report, "Iraqi Weapons of Mass Destruction—Intelligence and Assessments". There have been two further independent reports: the Hutton inquiry into the circumstances surrounding the death of Dr. David Kelly CMG, and the Butler review of intelligence on weapons of mass destruction. Is this the moment to take a decision and a step of the kind recommended in the motion? My answer is a resounding no. There is absolutely nothing in the unquestionably difficult and delicate situation in Iraq today that makes this the obvious and right time.

The motion was defeated on a division (298 to 273) and the Government's amendment agreed to (294 to 264).

2.4 Opposition Day debate, 11 June 2007

William Hague tabled a motion supporting the principle of an inquiry in June 2007. Margaret Beckett, then Foreign Secretary, tabled the following amendment:

...notes the Resolution of 31st October 2006; recognises that there have already been four separate independent committees of inquiry into military action in Iraq; further recognises the importance of learning all possible lessons from military action in Iraq and its aftermath; and therefore declines at this time, whilst the whole effort of the Government and the armed forces is directed towards improving the condition of Iraq, to make a proposal for a further inquiry which would divert attention from this vital task.²⁶

Arguments for and against the motion were similar to those made in 2006.

2.5 Opposition Day debate, 25 March 2008

William Hague moved the following:

That this House calls for an inquiry by an independent committee of privy councillors to review the way in which the responsibilities of Government were discharged in relation to Iraq, and all matters relevant thereto, in the period leading up to military action in that

²⁶ [HC Deb 11 June 2007, c539](#)

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country in March 2003 and its aftermath and to make recommendations on lessons to be drawn for the future.²⁷

David Miliband moved the government amendment:

... notes the Resolutions of this House of 31st October 2006 and 11th June 2007 on an Iraq inquiry; recognises that this House has already twice voted against holding an inquiry at these times; further recognises that a time will come when an inquiry is appropriate; but declines to make a proposal for a further inquiry at this time, whilst important operations are underway in Iraq to support the people and government of Iraq.²⁸

2.6 Opposition Day debate 25 March 2009

A Conservative motion on the same subject was put to a division on 25 March 2009. Ms Hillier voted with the government against the motion, although on this occasion the government amendment made clear that it intended to hold an inquiry when the time was right:

...notes the Resolutions of this House of 31 October 2006, 11 June 2007 and 25 March 2008 on an Iraq inquiry; recognises the heroic efforts of the British armed forces in Iraq who have a continuing role which this House should be careful not to undermine; further recognises that a time will come when an inquiry is appropriate, but declines to make a proposal for a further inquiry at this time, whilst important operations are underway in Iraq to support the people and government of Iraq.²⁹

The Iraq Inquiry was announced on 15 June 2009 by the then Prime Minister Gordon Brown.³⁰

2.7 Opposition Day debate, 24 June 2009

On 24 June 2009, William Hague proposed a motion which urged that the proceedings of an inquiry should be in public:

That this House, while welcoming the announcement by the Government of an Inquiry into the war in Iraq, believes that the proceedings of the Committee of Inquiry should whenever possible be held in public and that the membership of the Committee should be wider and more diverse than the Government has proposed, and calls on the Government to revise its proposals for the Inquiry to meet these and other objections raised by hon. Members and to submit proposed terms of reference for it to the House on a substantive motion for full debate and scrutiny.³¹

David Miliband moved the government amendment:

...welcomes the announcement by the Government of a wide ranging and independent inquiry to establish the lessons to be learnt from the United Kingdom's engagement in Iraq, which will consider the run-up to the conflict, the military action and

²⁷ [HC Deb 25 march 2008, c39](#)

²⁸ [HC Deb 25 March 2008, c52](#)

²⁹ [HC Deb 25 March 2009, c321](#)

³⁰ [HC Deb 15 Jun 2009, c22](#)

³¹ [HC Deb 24 June 2009, c800](#)

reconstruction; recognises the importance of allowing the families of those who gave their lives in Iraq to express their views about the nature and procedures of the inquiry; notes the Prime Minister's request that the chairman of the inquiry consult party leaders and chairs of the relevant parliamentary committees on the scope for taking evidence under oath and holding sessions in public; and commends the proposal by the chair of the inquiry to hold as much of the proceedings as possible in public without compromising national security or the inquiry's ability to report thoroughly and without delay.³²

2.8 Private Member's Bills

Lord McNally introduced a Private Member's Bill in the House of Lords trying to set up an inquiry. The Iraq War Inquiry Bill (HL) was presented on 20 March 2008.³³ The Liberal Democrat MP Ed Davey introduced The Iraq War Inquiry (No 2) Bill was presented on the same date in 2008.³⁴

³² [HC Deb 24 June 2009, c811](#)

³³ [HL Deb 20 Mar 2008, c369](#)

³⁴ [HC Deb 20 March 2008, c1097](#)

3. Previous inquiries and select committee investigations on Iraq

- **19 July 2006: Defence Select Committee** published its report, *UK Operations in Iraq* (HC 1241 2005/06). The report criticises the operation, saying that the deployment had been "cost-led rather than needs-led" and did not take account of how equipment shortages and inadequacies affected troops on the ground.
- **18 March 2004: Foreign Affairs Committee** published the report on its inquiry into *The Decision to Go to War in Iraq* (HC813, 2002-03), which concluded that "the claims made in the September 2002 dossier were in all probability well founded on the basis of the intelligence then available" (Para 84) and that "allegations of political inspired meddling cannot credibly be established" (para 86), although it said doubts over the accuracy of the evidence would remain until investigations of Iraq's WMD programmes by the Iraq Survey Group had been concluded.
- **11 September 2003: Intelligence and Security Committee** published *Iraqi Weapons of Mass Destruction - Intelligence and Assessments* (Cm5972), which concluded that there had been convincing intelligence Iraq had active WMD programmes and the capacity to produce chemical and biological weapons, that the dossier was a balanced assessment of scenarios, but that "it did not highlight in the key judgements the uncertainties and gaps in the UK's knowledge about the Iraqi biological and chemical weapons" (paras D & I)
- **28 January 2004: Hutton Inquiry** published its *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly CMG*, HC247, which concluded that the allegations made by the BBC journalist Andrew Gilligan (that the Government had been aware of inaccuracies in some of the intelligence prior to the dossier's publication) were unfounded.
- **14 July 2004: Butler Inquiry** published its report, *Review of Intelligence of Weapons of Mass Destruction*, HC 898.³⁵ The report concluded that, in general, the original intelligence material had been correctly reported in Joint Intelligence Committee assessments (with the exception of the 45 minute claim) and that there was no evidence of deliberate distortion or culpable negligence. It also found no evidence that JIC

assessments had been pulled in any particular direction to meet the policy concerns of senior officials of the JIC, but said that, despite the care taken to ensure the dossier's judgements did not go beyond the judgements of the JIC, warnings were lost about the limited intelligence base on which some aspects of these assessments were being made. It said that greater care was required in future to differentiate between the assessments made by the JIC and the advocacy of policy put forward by the Government. (Chapter 5 conclusions, paras 20, 21, 22, 33 and 37)

Butler Inquiry terms of reference

Terms of reference for the Butler Inquiry were: to investigate the intelligence coverage available in respect of WMD programmes in countries of concern and on the global trade in WMD, taking into account what is now known about these programmes; as part of this work, to investigate the accuracy of intelligence on Iraqi WMD up to March 2003, and to examine any discrepancies between the intelligence gathered, evaluated and used by the Government before the conflict, and between that intelligence and what has been discovered by the Iraq survey group since the end of the conflict; and to make recommendations to the Prime Minister for the future on the gathering, evaluation and use of intelligence on WMD, in the light of the difficulties of operating in countries of concern. (HC Deb 3 February 2004, c624.)

4. Other investigations on Iraq

Foreign Policy Centre and Channel 4 inquiry into Iraq

This inquiry is being jointly chaired by Lord Ashdown (former High Representative for Bosnia), Baroness Jay (former leader of the House of Lords and Chair of the Overseas Development Institute) and Lord King (former Defence Secretary and Chair of the Intelligence and Security Committee). The Foreign Policy Centre's Director is Stephen Twigg, former Labour MP for Enfield Southgate.

It is an independent, cross-party Commission tasked with producing a blueprint for Britain's future involvement in Iraq. It claims it will be adopting a similar approach to the bipartisan US Iraq Study Group. It will be screened by Channel 4 in July. Its final report will be delivered to the Prime Minister and leading parties.³⁶

The *Independent* reported as follows:

A cross-party commission has been set up in the UK to give Gordon Brown a route map out of the morass in Iraq after the departure of Tony Blair as Prime Minister at the end of next month.³⁷

The US Iraq Study Group

The bipartisan Iraq Study Group was set up by the US Congress in March 2006 to provide a forward-looking, independent assessment of the current and prospective situation in Iraq and how it affects US interests and the surrounding region. The group released its report on 6 December against a backdrop of increasing violence and sectarianism in Iraq and indications from the Bush administration that it was planning a shift in strategy in early 2007.

For more information on the Iraq Study Group see Standard Note 4216: [The Iraq Study Group report: summary and reaction](#)

³⁶ See the following websites for information about the commission:

<http://fpc.org.uk/topics/iraqcommission/>

http://www.channel4.com/news/microsites/l/the_iraq_commission/about.html

³⁷ "Commission seeks way out fro Brown", *Independent*, 23 May 2007

5. Past inquiries into British military action

There have been past inquiries into action undertaken by British military forces. Usually these have concerned defeats or alleged wrong-doing and they have had various types of legal basis, composition and remit. Examples can be found dating back to the mid-18th century; more recent examples include the Franks Committee on the Falklands War and the ongoing Saville Inquiry into the events of Bloody Sunday.

Michael Foot campaigned for some years for a special commission to consider the Suez campaign, and he drew attention to what he regarded as the precedents for this:

it was once the traditional practice of the House that when a disaster occurred, especially a military disaster, the House of Commons should set up an inquiry into the conduct of the Executive. Indeed, it was almost part of the tradition of the House that Supply should be granted only after grievances had been remedied, or at least examined.³⁸

He quoted in support of this “traditional practice” Lord John Russell, speaking at the time of the Crimean War:

inquiry is the proper duty and function of the House of Commons. When British arms have suffered a reverse this duty has always been performed. ... [Examples omitted] ... Inquiry is, indeed, the root of the powers of the House of Commons. Upon the result of the inquiry must depend the due exercise of those powers.³⁹

In the present context, Alex Salmond asked Peter Hain on 16 October 2003,

if the Prime Minister is not prepared to submit himself to an independent judicial inquiry, surely he has an obligation to submit himself to parliamentary scrutiny, so we can find out whether he is telling the truth.⁴⁰

Mr Hain replied:

...the Prime Minister has submitted himself to parliamentary scrutiny and been accountable to this House, including to the right hon. Gentleman, more consistently than any Prime Minister on any previous issue of military intervention abroad. That point is simply nonsense. As for the future, the Hutton inquiry is deliberating at the moment and will report in due course. I have also just announced that we will have a statement immediately following its publication and I would have thought that that would be the proper opportunity.⁴¹

5.1 Selected examples

Minorca, 1756

³⁸ HC Deb 16 November 1966, c442.

³⁹ HC Deb 16 November 1966, c442.

⁴⁰ HC Deb 16 October 2003, c266.

⁴¹ HC Deb 16 October 2003, c266.

Admiral Sir John Byng was executed by firing squad in 1757 for failing to “do his utmost” to relieve British-held Minorca from French attack the previous year. At the time there was widespread public discontent over the loss of Minorca and other elements of the British campaign in the Wars of Spanish Succession, and many historians believe the trial was a way of diverting public attention from the Government’s own failings. A Parliamentary hearing was held in the Lords between the trial and the execution.

Byng’s trial began in December 1756 and ended in January 1757. He faced 37 charges of not having done his best to relieve Port Mahon. Five of the 13 judges voted for the death penalty, four voted for dismissal on grounds of incompetence and the remaining four judges pleaded for a verdict of not guilty. The stalemate ended when the four judges voting for dismissal joined the five in favour of the death penalty.

Byng was recommended for pardon, but this was not considered during the review of the sentence by the Privy Council and the judges. On the contrary, the death penalty received greater support. Prime Minister William Pitt called for a suspension of the sentence until Byng’s conduct had been properly investigated. The House of Commons rejected this, but the King, George II, approved it and the matter passed to the House of Lords.

There was a heated debate on the affair in the Lords during which the 13 judges of the Council of War were questioned by four Peers. It became clear that five of the judges were not convinced of the legality of the death sentence. However, the sentence was carried out on board *The Monarque* on 14 March 1757.⁴²

In retrospect opinion has been divided over the judgement and many historians believe Byng was made a scapegoat for the weaknesses of the Prime Minister at the time, Pitt’s predecessor the Duke of Newcastle, Thomas Pelham-Holles. It is now widely believed that, even with greater efforts, Byng could not have saved Minorca. One commentary on his death stated:

thus fell, to the astonishment of all Europe, Admiral John Byng; who, whatever his errors and indiscretions might have been, was at least rashly condemned, meanly given up, and cruelly sacrificed to vile political intrigues.⁴³

Sir William Howe and General Burgoyne, 1777

In the American War of Independence General Burgoyne was Commander of a British expedition down the Hudson Valley from Canada in 1777, which aimed to cut off the economically strong New England colonies from the rest of the rebels in America. The expedition ended in disaster at Saratoga, where American forces defeated Burgoyne and he was forced to surrender. The defeat was an important turning point in the War.

⁴² This episode was the inspiration for the French playwright, Voltaire, whose *Candide* arrives in Portsmouth just as Byng is about to be shot, and is so shocked that he does not stop in England but immediately travels on to Venice.

⁴³ <http://www.exclassics.com/newgate/ng270.htm>

Upon his return to England, Sir William Howe, Commander in Chief of His Majesty's Forces in America, called for a Parliamentary Inquiry, and this convened on 22 April 1778.⁴⁴ Two other military leaders in the campaign, Lieutenant General Cornwallis and Major General Charles Grey, testified at the hearing, praising Howe's conduct of the war and his tenacity. They maintained that the American terrain and the difficulty of supply lines had hindered the war effort. Grey also said that there were not enough troops in America to achieve victory. In Burgoyne's testimony to the Inquiry, he said he had not had enough forces to perform this operation. One historian commented:

But the Inquiry ended up being a forensic debate between the Opposition and the Government, with the entry in Parliamentary History stating, "...the Enquiry was put an end to, without coming to a single Resolution upon any part of the business."⁴⁵

The Walcheren Expedition, 1809

This episode took place during the British invasion of Holland during the Napoleonic Wars in the early 19th century. In July 1809 a large British expeditionary force left the Kent coast for the island of Walcheren in the Scheldt estuary. French naval activity at Antwerp posed a threat to England and the British Government wanted to dent Napoleon's ambitions. The overall commander was Lord Chatham. Within a few weeks the army of around 40,000 men was almost entirely destroyed by a disease, which later became known as "Walcheren fever" or "Flushing sickness."⁴⁶

In early 1810 there was public anger at the loss of life and shortly afterwards the House of Commons called for a Parliamentary Inquiry into the Scheldt expedition and the army medical board. Lord Porchester pledged that there would be an Inquiry, which would look into "the policy and conduct of the late disastrous Expedition to the Scheldt."⁴⁷ The Inquiry was conducted by the whole House, which debated the issues from the end of January to 17 March 1810.

The Inquiry found that the army medical department had not known about the expedition's destination before its departure. Most of the senior staff in the medical department, along with the Government and military officers, were found to have been at fault. "There were too few doctors, inadequate hospital provision, not enough transport for the sick, and a shortage of vital drugs and supplies."⁴⁸

Crimea, 1854-55

The Crimean War of 1853-6 (British involvement from 1854) took place during the leadership of George Hamilton Gordon, 4th Earl of Aberdeen,

⁴⁴ See Parliamentary History, Vol 19, 1777-8, p.647

⁴⁵ Gerald Saxon Brown, *The American Secretary*, 1963, p.136

⁴⁶ Now believed to have been a combination of malaria, typhus, typhoid and dysentery.

⁴⁷ HC Deb 26 January 1810 c 160

⁴⁸ "Doctors in conflict Walcheren 1809: a medical catastrophe", Martin R Howard, *British Medical Journal*, 18 December 1999 at <http://bmj.bmjournals.com/cgi/content/full/319/7225/1642#B21>

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who was Prime Minister from December 1852 to 30 January 1855, after which Viscount Palmerston became Prime Minister.

The war was characterised by a series of misunderstandings and supply failures which led to several British defeats. The first of these was in September 1854, when forces under the joint allied commands of General Lord Raglan, Marshal St. Arnaud and General Omar Pasha faced the Russians at the Alma. The British were forced to attack before the French had completed their operation and Lord Raglan moved so far in advance of his troops that he was directing the battle from behind the Russian front line. The Russians continued to make gains, while Lord Raglan tried in vain to send orders to his Light Cavalry Brigade and his infantry to take action. When the Light Brigade finally charged, it was in the wrong direction. Over 650 men charged, with hundreds of casualties.

During the winter of 1854-55 the British military supply system failed and thousands of soldiers died from disease, exposure and malnutrition. Supplies finally arrived, too late, the following spring. On 7 June 1855 the outer defences of Sebastopol were attacked, with the British capturing the Quarries and the French capturing Mamelon, but assaults on the Malakoff and Redan failed. Lord Raglan died shortly afterwards. On 8 September 1855 the Allies again stormed Sebastopol. The French were successful this time at Malakoff, but the British attack on Redan failed again. After the fall of Malakoff, the Russians evacuated Sebastopol and the Crimean War was effectively over, although hostilities continued until February 1856. The ratification of the *Treaty of Paris* on 27 April 1856 formally ended British participation in the war.

In January 1855 John Roebuck, the Member for Sheffield, proposed a Committee of Inquiry to investigate the conduct of the war. The motion was:

That a Select Committee be appointed to inquire into the condition of our Army before *Sebastopol*, and into the conduct of those Departments of the Government whose duty it has been to minister to the wants of that Army.

The motion was debated on 26, 29 and 30 January 1855, and it was carried by 305 to 148.⁴⁹

Prime Minister Gordon resigned the next day. The *Report of the Commission of Inquiry into the Supplies of the British Army in the Crimea* by Sir John McNeill and Colonel Tulloch was published in two parts in June 1855 and January 1856.⁵⁰

After the publication of the McNeill and Tulloch Report a Board of General Officers was appointed to investigate accusations made in the Report against the conduct of certain officers. The Board opened at the Royal Hospital Chelsea on 7 April 1856 and became known as the

⁴⁹ Commons Journals, 1854-55, vol 110.

⁵⁰ *Report of the Commission of Inquiry into the Supplies of the British Army in the Crimea, with Evidence*, 1856 Session, HC Paper 2007, Vol XX. For on-line texts, see <http://www.crimeantexts.org.uk/sources/reports/mnt00000.html>

“Chelsea Board” or the “Whitewash Board” because it cleared all those it investigated of all accusations and laid the blame on Treasury civilians. The Board’s report was published in July 1856.⁵¹

World War I: Gallipoli and Mesopotamia

In April 1915 the First Lord of the Admiralty, Winston Churchill, planned to take the desolate Gallipoli Peninsula of southern Turkey through naval operations. On 19 February 1915 the British attacked Turkish positions along the Dardanelles Strait, in an effort to allow warships to threaten the Turkish capital, Constantinople (now Istanbul), and to force a Turkish surrender. However, on 18 March 1915 three ships were sunk and three others badly damaged by mines. The naval assault was abandoned and a land campaign was initiated, involving the first major amphibious landings in modern warfare.

The campaign was ultimately unsuccessful, due in part to differing views and a lack of communication between elements of the military command and of the political leadership. The Allies evacuated the Gallipoli beaches in October 1915, having lost around 46,000 men, 26,000 of them British. Winston Churchill, who had resigned from the Admiralty in May 1915, left the Cabinet in November 1915.

The first part of the British colonial Indian Army’s Mesopotamia campaign of World War I brought embarrassing reverses. Two columns advanced up the Tigris and Euphrates in an effort to take Baghdad. Having made progress part of the way, the commander of one of the two columns, Major General Sir Charles Townshend, was ordered to press on to Baghdad. His forces became overstretched and were besieged at Kut-al-Amara. Townshend was promised rapid reinforcement, but the relief never arrived. The British were surrounded and defeated by the Turkish army. Baghdad was finally captured in March 1917 by another British and colonial Indian army, some four times the size of General Townshend’s. In the campaign as a whole some 27,000 British troops died, many from disease.

Prime Minister Herbert Asquith introduced the *Special Commissions (Dardanelles and Mesopotamia) Bill* on 24 July 1916, which would “Constitute Special Commissions to inquire into the conduct of operations of war in the Dardanelles and into the conduct of operations of war in Mesopotamia.”⁵² The Second Reading was on 26 July 1916.⁵³ There was a statement on the Dardanelles Commission Report in the

⁵¹ See <http://www.crimeantexts.org.uk/sources/reports/bgomin02.html>

⁵² HC Deb 24 July 1916 c1358. The remit of the Commissioners was set out in the debate on 27 July 1916 cc 1896-7. It included in both cases the conduct of the war, “the supply of equipment to the troops, the provision for the sick and wounded and the responsibility of the Government whose duty it has been to minister to the wants of the forces employed in the theatre of war”

⁵³ HC Deb 26 July 1916, cc 1705-1750

Commons on 20 March 1917.⁵⁴ The Mesopotamia Commission Report was debated on 12 July 1917.⁵⁵

World War II: Singapore

During World War II the Allies came under great pressure from Japan in Malaya, and by the beginning of 1942 they were effectively pinned back to Singapore. Prime Minister Winston Churchill ordered troops to fight the Japanese to the death in Singapore, but on 9 February 1942, after four days of heavy bombardment, the Japanese landed on Singapore Island. On 15 February 1942 Singapore surrendered, having nearly run out of water, food, petrol and ammunition. The Japanese captured around 130,000 British and Commonwealth troops and 9,000 were killed, out of a total of 140,000. The Japanese had committed 55,000 troops, and suffered around 3,500 losses.

Many commentators believed Singapore had been lost because of poor command. On 25 March 1942 the Lords debated a motion by Lord Addison for an immediate inquiry into “the cause of the dreadful surrender in Singapore.” The Government refused to hold such an inquiry. Lord Cranborne told the Lords that

...the information which we have had is fragmentary and not adequate for enabling a full-dress inquiry to come to proper conclusions. So far as Singapore is concerned, we really have no official information yet.⁵⁶

In his view such an inquiry at that time would be a “futile farce.”⁵⁷

Some Government Ministers indicated that an inquiry might be held at a future date, once the War was over, and Churchill was reportedly supportive of this approach, but no inquiry was held.⁵⁸

Suez, 1956

Following the Suez campaign in 1956 suspicions grew that the Anglo-French action, supposedly a response to fighting which had broken out between Egypt and Israel, was the result of collusion between the UK, France and Israel. There was no inquiry, judicial or parliamentary, but some Members called for one.

George Wigg, Member for Dudley, raised the question on a second Adjournment debate on 16 December 1958.⁵⁹ Wigg argued against the “rather crude version of collusion”⁶⁰ which was being alleged, but sought the establishment of a select committee to investigate the Suez

⁵⁴ HC Deb 20 March 1917, cc1753-1831. *The First Report of the Dardenelles Commission, 1917-18*, was published as Cd 8490; there was a supplement published as Cd 8502; and the final report was published in 1919 as Cmd 371.

⁵⁵ HC Deb 12 July 1917, cc2153-2268. *The Report of commission appointed by act of Parliament to enquire into the operations of the war in Mesopotamia ..., 1917-18*, was published as Cd 8610.

⁵⁶ HL Deb 25 March 1942 c 479

⁵⁷ Ibid c 484

⁵⁸ Eg, HC Deb 20 May 1942, cc333-4.

⁵⁹ HC Deb 16 December 1958, cc1064-70.

⁶⁰ HC Deb 16 December 1958, c1068.

campaign and the events leading up to it, in “the interests of this country, its good name and its standing in the world.”⁶¹

Michael Foot twice introduced Private Member’s bills on the matter. His *Suez Operations (Special Commission) Bills* of 1964-65 and 1966-67 called for a special commission to be set up to inquire into the origin, inception and conduct of operations over Suez. The bills did not receive Second Readings, but there is some interesting argument in the First Readings, at HC Deb 27 April 1965, cc226-30, and HC Deb 16 November 1966, cc442-45.

Falklands War, 1982

In a Written Answer on 6 July 1982 Prime Minister Margaret Thatcher announced that a review of the actions of the Government in the period leading up to the invasion of the Falkland Islands would be held. She stated:

Following the consultations with the right hon. Gentleman the Leader of the Opposition and leaders of other opposition parties, the Government have decided to appoint a Committee of Privy Councillors with the following terms of reference:

To review the way in which the responsibilities of Government in relation to the Falkland Islands and their dependencies were discharged in the period leading up to the Argentine invasion of the Falkland Islands on 2 April 1982, taking account of all such factors in previous years as are relevant, and to report.

I am glad to be able to say that the Right Hon the Lord Franks, OM, GCMG, KCB, CBE, has agreed to be the chairman of the committee.⁶²

The members of the committee were two former Labour cabinet ministers, two former Conservative cabinet ministers, a retired civil servant and the chairman, Lord Franks (others were Lord Barber, Lord Lever of Manchester, Sir Patrick Nairne, Merlyn Rees, MP, and Lord Watkinson).

The Report (Cmnd 8787, January 1983) was divided into four sections. The first looks at the dispute between Britain and Argentina over the Falklands from 1965 to 1979; the second looks at events after Mrs Thatcher took office; the third looks at events from the landings on South Georgia on 19 March 1982 to the day of the invasion; and the fourth sets out judgements reached on the basis of an “examination of the narrative of events”.

The Franks Report has been criticised by some for being a cover-up. Lord Owen, who had been Foreign Secretary from 1977 to 1979, during an earlier period involving the use of military deployments to counter the growing Argentinian threat in the Falklands area, expressed concerns over this.

The following statements and debates provide background information on the review and its conclusions. A range of views is expressed in these debates about the nature of the operation and the Report’s conclusions:

⁶¹ HC Deb 16 December 1958, c1070.

⁶² HC Deb 6 July 1982, c51W

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- HC Deb 8 July 1982, cc469-508
- HC Deb 18 January 1983, cc171-183
- HC Deb 25 January 1983 cc 790-870
- HC Deb 26 January 1983, cc914-994

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