

Foreign Affairs Committee

Oral evidence: FCO secure communications and handling of classified information, HC 2541

Wednesday 10 July 2019

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Members present: Tom Tugendhat (Chair); Chris Bryant; Stephen Gethins; Conor McGinn; Ian Murray; Priti Patel; Mr Bob Seely; Royston Smith.

Questions 1-82

Witnesses

I: Sir Simon McDonald, KCMG, KCVO, Permanent Under Secretary and Head of the Diplomatic Service, the Foreign and Commonwealth Office, Edward Hobart, Director for Estates and Security, Foreign and Commonwealth Office, and Paul Williams, Chief Information Officer, Foreign and Commonwealth Office.

Examination of witnesses

Witnesses: Sir Simon McDonald, Edward Hobart and Paul Williams.

Q1 **Chair:** Welcome to this afternoon's sitting of the Foreign Affairs Committee. Sir Simon McDonald, thank you for coming at such short notice; we are extremely grateful. Thank you, Mr Hobart and Mr Williams, for joining him. Sir Simon, will you give us a brief update on where we are, and perhaps tell us a word or two about Sir Kim?

Sir Simon McDonald: Yes, Mr Chairman. I spoke to Kim Darroch first thing this morning. He had clearly had a very difficult night considering his position, but by the time we spoke he had made up his mind that he needed to resign. I think it was for two main reasons. The first was the pressure on his family, who have been living every minute with him, and he did not want to put them through possibly months more. It was his judgment that for as long as he remained in Washington, he would be a target and his family with him.

The second reason was the impact on the rest of the embassy in Washington and their ability to work. As you know, Mr Chairman, the ambassador is the keystone of any embassy, and if he does not have access to the people he needs or she needs to have access to, the work of the whole mission suffers. I don't think it was an easy decision, but by the time we spoke, his mind was made up. I received his letter and replied—these letters have now been published on the Foreign Office website. The resignation came in time for the Prime Minister to be able to pay tribute to his work during PMQs earlier today.

Q2 **Chair:** This is clearly an unusual occurrence. Do you know of any other occasion on which the Head of State of a friendly Government has refused to co-operate with any of Her Majesty's envoys?

Sir Simon McDonald: None.

Q3 **Chair:** You've never heard of this happening before.

Sir Simon McDonald: I have been in the Foreign Office for nearly 37 years and this is the first time in my service.

Chair: Well, that already is quite something. Chris, you wanted to ask a question.

Q4 **Chris Bryant:** Sometimes, unfriendly states might have been more difficult. Perhaps the Chávez regime in Venezuela might have been difficult with the British ambassador over time.

Sir Simon McDonald: You are right, Mr Bryant. This is not the first time a British ambassador has left post or resigned because of actions taken by the host Government, but usually they are Governments with whom we have problematic relations rather than friendly relations.



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Q5 **Chris Bryant:** And even then, have there been many occasions, in your experience, where there has been a complete refusal by a Head of State to work with the British envoy?

Sir Simon McDonald: I know of none.

Q6 **Chair:** Just to be clear, even with states that could be described as hostile or not friendly, you know of no occasion when the Head of State has refused to work with the British envoy.

Sir Simon McDonald: Correct, but I distinguish between problems gaining agrément, which is necessary for an ambassador to get there in the first place—that is a time when there are many difficulties.

Q7 **Chris Bryant:** Could you just explain agrément and that process? That would be worth us understanding.

Sir Simon McDonald: When the Government post an ambassador, the appointment is made by the Foreign Secretary; all ambassadors and high commissioners serve at the pleasure of the Foreign Secretary. The appointment is approved by the Prime Minister and by Her Majesty the Queen, but it is made by the Foreign Secretary. That process takes some time. Once the Queen has given her approval, the incumbent ambassador seeks the agreement of the host Government to receiving her or his successor. It is one of the diplomatic rules that a receiving state has the right to refuse the nominee of the sending state, and that has happened from time to time. That is where the difficulty is generally revealed.

Q8 **Chair:** Has it ever happened with the United States?

Sir Simon McDonald: The last time that I know we had difficulty with the United States was 1856, when the incumbent was accused of recruiting Americans to fight on the British side in the Crimean war. President Franklin Pierce was in the White House.

Q9 **Chris Bryant:** And I think that I am right in saying that Iran refused an agrément for our ambassador who was en route.

Sir Simon McDonald: We have had various run-ins with Iran—correct, Sir.

Q10 **Mr Seely:** Is it too early to think about what the potential fall-out from this is? Clearly, it is a unique set of circumstances. How do you think it is going to affect our relationship with the Trump Administration or the US, or indeed other states, in future?

Sir Simon McDonald: Mr Seely, I think it is too soon to have a complete or authoritative judgment. Nothing like this has ever happened before. There must be consequences. What they are in detail I can't tell you this afternoon.

Q11 **Mr Seely:** We met Kim Darroch and we were all very impressed by him. He is clearly a highly capable individual. There was an argument that he should ride this out, and that the Foreign Secretary could have said to him, "Actually, on principle you're staying, if only for two months or until



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your post has come to an end, because on principle, whichever the state is, and whoever the leader is, we are keeping our ambassadors in place.” Clearly, if Kim Darroch does not want to stay there, he does not want to stay, but there is an argument that we should actually say, “No, you are staying.”

Sir Simon McDonald: That is why I had a conversation with Kim this morning about his resignation. The Foreign Secretary has been as clear as you have just been, Mr Seely, in private and in public, that the question of who represents Her Majesty is for the British Government, and that Sir Kim had the full support of Her Majesty’s Government and should stay in place until the end of his posting, which was already known to be the end of this year. That point was made by the Foreign Secretary, but I repeat that Kim, knowing that, still decided that he should go because he did not think that he would be able to do the work of a British ambassador.

Q12 **Mr Seely:** He specifically had a conversation with the Foreign Secretary about this how many times in the past 24 hours?

Sir Simon McDonald: I know that the Foreign Secretary has spoken to Sir Kim in the past six hours, but I was not privy to the detail of the conversation.

Chair: Sorry, forgive me. We are very tight for time—Conor.

Q13 **Conor McGinn:** May I first say how dignified I thought Sir Kim’s resignation letter and your response was, in contrast to the behaviour of those who forced him to resign and those who failed to defend him? You said in your opening remarks that he resigned because he thought that he would be a target, because of pressure on his family, and because of the impact on the embassy. That would be truly shocking in a diplomatic mission in a hostile country or a country with which we have complicated relations. How difficult a challenge will it be to manage this diplomatically with a country that is one of our longest-standing allies with which we have just exchanged state visits? How difficult a challenge is that? How unprecedented is it, and how can the system respond to it, if it is unprecedented?

Sir Simon McDonald: We will respond, Mr McGinn, because we have to. The United States is our closest ally. Across the board, in all spheres of life, we have the closest relationship with the United States. I would add that we have a close relationship with the President of the United States. The state visit last month was, I think, a personal success. This is at variance with that success. This is, as everybody is agreeing, unprecedented, but we will find a way through because we must.

Q14 **Conor McGinn:** In terms of how this unfortunate situation arose, can I ask you about confidence in two respects? First, how confident are you about the FCO’s systems, in relation to the confidentiality of communications? Secondly, how confident can our diplomats be, particularly in more difficult postings, that they will continue to be able to give unfettered and unvarnished advice to our Government without it being compromised?



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Sir Simon McDonald: These are key questions for us, Mr McGinn. We have good security systems, and we are updating those security systems, but we will look in detail at how they are functioning in the wake of what has happened this week, but I will stress that the systems are one thing; the people who operate them are the key thing. That is also going to be a focus of our work, because the human factor is the decisive one.

Chair: Forgive me, but can we come back to that point? I call Ian.

- Q15 **Ian Murray:** Can I first echo Mr McGinn's points? I think that the way that Sir Kim and you have responded to this shows the very best of the Foreign Office, as opposed to others who should know better, in terms of the way that they have responded. I just want, while we are on process, to ask you what the process will be for appointing a new ambassador from today, and whether or not the Foreign Affairs Committee can meet that person.

Sir Simon McDonald: The process will be the same as for any ambassador. There will be an advert and people will apply and be interviewed, and a recommendation will be made by the senior appointments board of the Foreign Office to the Foreign Secretary, and then from the Foreign Secretary to the Prime Minister. That is the standard procedure, but it will not surprise you that appointments to Washington do not always follow that standard procedure. I cannot tell you in detail how this particular appointment will be handled. I can tell you that history shows that there are often bespoke procedures for filling the embassy in Washington DC.

- Q16 **Chair:** I repeat the question that Mr Murray asked: can this Committee meet the candidate—I use the term “candidate” clearly—at the appropriate juncture?

Sir Simon McDonald: As you know, confirmation hearings are not a feature of the British system.

Chair: I did not ask for a confirmation hearing.

Sir Simon McDonald: I note the Committee's interest—indeed, enthusiasm—and shall discuss this with the Foreign Secretary.

- Q17 **Stephen Gethins:** Can I reflect the views of my colleagues by saying thank you for your handling of this and how sorry I am to see the ambassador leave? I think it is particularly concerning. It will be good to get your remarks about the impartiality of the civil service, which is so important. For example, I was sorry to see the former Foreign Secretary not defend that a bit more strongly yesterday. How important is candour in the missives that you get back from your ambassadors around the world?

Sir Simon McDonald: It is vital. It is the only way we can work. The tradition within the British diplomatic service is of openness. We have always believed in sharing the necessary information with all officials who needed to know. Over decades, that system has served us well, but clearly, right now, it is under unprecedented pressure.



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- Q18 **Stephen Gethins:** What would be your message to ambassadors elsewhere in the world who are reporting back from what I would previously have thought, until the events of the past few days, to be even more difficult circumstances than those in Washington? What is your message on the protections that they should expect?

Sir Simon McDonald: I have already been in touch with all the ambassadors this week, stressing that unvarnished, honest analysis is what we need. It is what officials need in order to give the best possible advice to Ministers, so that their decisions can be as good and as evidence-based as possible. I think we are going to do a lot of soul searching, and I hope this session will feed into that.

One thing that is under our control is the distribution lists of people who receive our most sensitive reporting. The person drafting has control of how wide that readership should be. A diplomatic telegram, with which Ms Patel is very familiar, goes to a wide readership. Emails and emailed letters go to a much more targeted audience.

- Q19 **Stephen Gethins:** Finally, what would your message be to the leaker about the damage that this has done to the day-to-day work of the Foreign Office?

Sir Simon McDonald: The leaker is guilty of the worst breach of trust in our service in my career. The damage, after three days, is evident in the resignation of the most senior British diplomat.

- Q20 **Chair:** Can we come very quickly to the distribution of these particular messages? Am I right in understanding that they fall into different categories, as you just described?

Sir Simon McDonald: Correct.

- Q21 **Chair:** Some are what you call diptels, and some are what you call emailed letters. In the particular case we are discussing now, how many people did the letters go to?

Sir Simon McDonald: That is already part of the investigation. You are right that there is a mix. Because the mix includes emailed letters, that is a line of active inquiry. The team running the investigation is using that information right now.

- Q22 **Chair:** I understand if you do not have an immediate answer—

Sir Simon McDonald: No.

- Q23 **Chair:** Okay. Is there any way of knowing who has read or opened an email on the Firecrest system?

Sir Simon McDonald: I will turn to an expert.

Paul Williams: On that, I have to be careful about exactly what I say, but we do monitor traffic on the Firecrest network, yes.

- Q24 **Priti Patel:** I echo the views of others about Sir Kim's resignation today. In the light of the leak inquiry that is now taking place, and the fact that



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there has been a leak and sensitive communications have been put out into the public domain, have concerns been raised over recent months or years about potential leaks or the risk of any data, telegrams or diptels going out into the public domain? Has there been anything regarding cyber-security and distribution lists, which, Sir Simon, you have already said are quite wide and vast? Bear in mind the scale of the network, too. Have any concerns been raised, if not by Ministers then by diplomats themselves, in missions or embassies, regarding security and the potential exposure of very confidential and sensitive information?

Sir Simon McDonald: These considerations are always on our minds, Ms Patel. As you point out, the challenge has changed in recent years. Computer hacking is a relatively recent phenomenon. Our need to defend ourselves in cyber-space is a relatively new phenomenon. Our experts are active in defending our systems. We have made progress, but, I repeat, no matter how good the systems, the people who operate them are the key. Generally, when we have suffered a leak, it has been because a person has consciously done something wrong.

- Q25 **Priti Patel:** On that basis, may I ask specifically and directly whether Sir Kim has ever raised any issues around sensitivity, secure information or risk from the Washington end, from our mission there, or about any potential risk or threat on information being leaked? Bear in mind the political climate in Washington and many of the wider stories outside of HMG's footprint around cyber-security and hacking, and around the Administration and the US elections that took place a few years ago.

Sir Simon McDonald: To the best of my knowledge, no. He has had confidence in the systems and the people operating them. Until four days ago that confidence had been rewarded—but no more.

- Q26 **Priti Patel:** There is no doubt that things will change off the back of what has happened. You will have the leak inquiry. Our civil servants and diplomats do exceptional work. I have had the privilege of working with many of our ambassadors around the world. What message are you sending to them right now? They have just seen one of the most exceptional diplomats resign from office over some very sensitive communications that have been leaked. In terms of rebuilding confidence and trust in the system with people who are thousands of miles away from London and feeling quite remote from HMG, what do you see your role as in trying to instil confidence and give them reassurance about their own roles, and the ability to be candid in the information that they are sending back to London?

Sir Simon McDonald: This is an exceptional moment. I have already convened an all-staff meeting for 4 o'clock. I will tell you now what I will tell my colleagues later. This is a personal tragedy for a friend and colleague. This will make us look again at our ways of working. But I will give them one big assurance that we will pursue the culprits with all the means at our disposal, because it is very important that the person is caught. Secondly, I will encourage them to continue to work in the necessary traditional way. We cannot serve our Secretaries of State if we



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start concealing key information, but I will encourage them to think even more carefully about how they transmit their most sensitive information.

Q27 **Chair:** Can I just jump in for a moment? You said that Sir Kim has raised no concerns.

Sir Simon McDonald: To the best of my knowledge.

Q28 **Chair:** Absolutely. I have an article from *The Sunday Times*, from 13 November 2016, which is the full publication of one of Sir Kim's diptels. It was written up by Tim Shipman on the day. Is there a pattern of leaking from the US embassy?

Sir Simon McDonald: From the embassy in Washington? As I sit here, I do not think there is a pattern of leaking. I know that there have been leaks from Washington that have afflicted previous ambassadors, not just Sir Kim. A diptel is the communication that goes to the widest audience. Even though the diptel you have is from Washington, just the fact that it was from Washington does not indicate that it was leaked in Washington.

Q29 **Chair:** Can we go back to the numbers question? Of the more sensitive letters, do you assume the readership number to be five to 10, or a larger number?

Sir Simon McDonald: The most sensitive do have distributions of five to 10 at the bottom end. Every communication these days is electronic, and every machine has a forward button.

Chair: Every machine has a forward button.

Sir Simon McDonald: All computers have a forward button, Mr Chairman.

Chair: Some of the military systems do not.

Edward Hobart: May I add that the forward button might be within a controlled system? For example, with our secret system, you cannot forward outside that secret domain. As you would imagine, the auditing functions on that are stronger than they are on official or official-sensitive systems.

Q30 **Royston Smith:** I want to talk about sanctions for the culprit. The tragedy here relates to the ambassador, who has done his job admirably and said exactly what he should have said in reporting to Government. The person who has leaked this is the one we would all like to see brought to justice, if that is the right word.

I do not know what the sanctions are. I expect if you were leaking intelligence to a foreign body at a moment of national crisis, they would be far worse than under these circumstances. What are the sanctions for the culprit, and are they strong enough to deter anyone from doing it again in future? This is becoming something that we are seeing, not routinely but it is getting that way, and it needs to be stopped.



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Sir Simon McDonald: There is a range of sanctions, up to and including summary dismissal. If a criminal case can be made, it will be turned over to the Director of Public Prosecutions.

Q31 **Chair:** Have you already involved the police?

Sir Simon McDonald: The police are involved.

Q32 **Chris Bryant:** I think it is the Official Secrets Act, isn't it? Can I just check, first of all, that there is no public interest defence in the Official Secrets Act? You can't say, "I'm a whistleblower."

Sir Simon McDonald: I am not a lawyer. I do not think there is a public interest defence in this case.

Chris Bryant: I think the maximum is up to only six months in prison.

Chair: Two years, I believe, is the maximum. That is the penalty for breaching the trust of the British people.

Royston Smith: Not much of a deterrent.

Q33 **Chris Bryant:** Quite. You have referred repeatedly to a leaker. I presume it is either a leak or a hack. Have you discounted a hack?

Sir Simon McDonald: As the Foreign Secretary said on Monday, there is no evidence of a hack but we have not excluded that. This is an open investigation.

Q34 **Chris Bryant:** Is it at all possible that the United States might have intercepted the communication themselves?

Sir Simon McDonald: My personal view is no. We have a very close relationship with the United States; we do not spy on each other.

Q35 **Chris Bryant:** What's morale like in the Foreign Office at the moment?

Sir Simon McDonald: I think people are shaken by what has happened. There is a reason why I have asked to see all my colleagues at 4 o'clock this afternoon. The basis on which we have worked all our careers suddenly feels as though it is challenged. There is a need for reassurance and reflection, and the reflection needs to include all the things the Committee is talking about on how we handle secure information and the systems on which they are transmitted.

Q36 **Chris Bryant:** Doesn't the British political establishment—every single element of it—have to stand absolutely shoulder to shoulder with the British ambassador at a moment like this?

Sir Simon McDonald: I would say yes, and my colleagues have noted with gratitude what the Prime Minister and the Foreign Secretary have said.

Q37 **Chris Bryant:** I have one other question. It feels sometimes as if the UK is being targeted by the American President. I thought the most humiliating sentence of the week was the bit about the President telling the Prime Minister how to do Brexit and then referring to her as "foolish".



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Then there are the attacks on the Mayor—

Chair: I am going to stop you, Mr Bryant. We are not doing an investigation into Anglo-US relations.

Chris Bryant: No, but the only question for me is whether we need to recalibrate our relationship because of this process.

Sir Simon McDonald: The relationship with the United States is so deep and so wide that it will withstand any individual squall.

Chair: Can we move on from that? We want to focus very much on the handling of information.

Q38 **Mr Seely:** I have a couple of quick questions on that point, Sir Simon. Politicians don't sign the Official Secrets Act, do they? If the Official Secrets Act was going to be used, it would be used against a soldier or diplomat who had leaked these. Is that correct?

Sir Simon McDonald: I believe that is correct.

Chris Bryant: But many Ministers have to sign the Official Secrets Act.

Q39 **Mr Seely:** That is what I am asking. Do the Ministers sign it?

Sir Simon McDonald: I have my director of security sitting next to me.

Edward Hobart: I'm not certain. There is the ministerial code, but we can write back and confirm.

Q40 **Mr Seely:** Breaking the ministerial code isn't breaking the law; it's breaking the ministerial code. If a politician had leaked this, he or she wouldn't be prosecuted.

Chair: What do you mean? You don't have to agree to Acts of Parliament. Acts of Parliament are binding on you whether you agree to them or not. Signing the Official Secrets Act merely reminds you that you are bound by it. It doesn't change the law.

Mr Seely: Does it not change things so that it is not a criminal act? That's what I'm saying.

Chair: It is a criminal act whether you have signed the Official Secrets Act or not, in the same way as murder is a criminal act, whether or not you have signed the murder Act.

Edward Hobart: I believe the Chairman is correct, but I can write to you and confirm that. There is a different process where you notify somebody, which means it is easier to prove that they have broken that Act, because they have been notified of their responsibilities under it. The law doesn't only apply to those people, but we can confirm that.

Q41 **Mr Seely:** Can I ask about the classifications used for the communications to and from diplomats overseas? There are diptels that were on Firecrest. Were the emails sent under Firecrest or a secure system as well?

Edward Hobart: We are not going to comment on the details of this particular investigation at the moment. We will seek to answer generically about the different systems that are used for communication.

Paul Williams: Without commenting on the specifics of this case, there are different levels of classification—official, secret and top secret—and we have different IT systems for those different levels of classification.

- Q42 **Mr Seely:** Moving on, is the FCO's policy on classification fit for purpose? I have never had the privilege of working for the FCO, but I did once upon a time have access to a Firecrest account. I was told, basically, "Don't put anything sensitive on it because the Russians read it." If I am told that Firecrest is hackable and easy to read, are you confident that Firecrest, in this day and age, has the level of security you would wish to associate with it, to make sure that your communications are not hackable?

Edward Hobart: There are different threats here. There are threats from espionage and hacking, and there are threats from leaks and other stuff. Firecrest is a more vulnerable system. It's at the "official" level. It's highly resilient, in terms of attacks against it, but there are certain communications you would then want to record at "secret". We have that system. In fact, we have a new Government-wide system that we have been rolling out over the last year. We have probably the biggest uptake of that. It's a "secret" level system and, because it is Whitehall-wide, it enables us to share information very confidently across the whole of Government.

- Q43 **Mr Seely:** Do you see any reason to revise this and what you are doing and the systems you are using, in the light of what has happened?

Paul Williams: We constantly look at our systems. As I say, I don't want to say too much about that, but we do monitor the system. We also use the three-tier system to protect very sensitive information according to the Government security classification—official, secret and top secret, the definitions of which are on the internet. As Sir Simon said earlier, this comes down to individual use of that. Ultimately, no system can be 100% secure if people use it.

- Q44 **Chair:** Mr Williams, will the new system allow the sender to disable the forward function?

Paul Williams: As Mr Hobart said, there are different ways that we do that on different systems. It's about keeping information within the environment of the people who have access to that system at the appropriate classification levels.

- Q45 **Chair:** So, as long you are at the appropriate classification level, you can forward anything to anyone?

Paul Williams: You can forward information within the systems to people who need to see it. Then, various procedures come into play. For example, when anybody signs up to use the Firecrest system, they have to sign security operating procedures that contain information about how to use



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things within that system, such as only forwarding things to people if they have a real business need to know.

Q46 **Chair:** Is that a bit like terms and conditions, where you just tick the box and click “accept”?

Edward Hobart: It involves training to use the standard system—the official system—and the secret system and the top-secret system. All those involve different training levels and constraints over what you can and cannot send and who you can send it to.

Q47 **Royston Smith:** What about taking a picture of the screen?

Edward Hobart: Where our secret and top-secret systems are situated, you are generally not allowed to have any mobile or photographic devices.

Q48 **Royston Smith:** And printing?

Edward Hobart: I don’t want to go too much into the details of the security of our systems, but as the systems become more secure, the capability to protect them, and the constraints on the user, are greater.

Q49 **Royston Smith:** So, generally you are not allowed to take your telephone in, but you could.

Edward Hobart: Well, you would be explicitly breaking rules and regulations, and it is monitored.

Q50 **Royston Smith:** That is why I was asking. Anyone who is leaking is breaking rules—we have established that—but it is monitored so that you cannot take your telephone in.

Edward Hobart: There are different ways that we monitor that in different places, depending on the risk.

Q51 **Ian Murray:** We don’t want to go into the leak itself, because obviously you have just launched the inquiry, but what classification did these messages have?

Sir Simon McDonald: That is part of the inquiry, Mr Murray. All of this will be part of the report, which will come out later.

Q52 **Ian Murray:** Can I ask a more general question, which is of course hypothetical? What damage would it do to every foreign mission across the world if the leak inquiry was to conclude that the leak was politically motivated?

Sir Simon McDonald: I assume that, in those circumstances, we would have a complete story, which would indicate what we needed to do next in order to prevent a repetition.

Q53 **Ian Murray:** To follow that up, as well as my previous question, what systems of checks and balances are in place at the Foreign Office for an ambassadorial appointment of such importance, if that next ambassadorial appointment was a political appointee?



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Sir Simon McDonald: As the Committee knows, we have one political appointee in the network—Lord Llewellyn, the ambassador in Paris. As a British ambassador, he is treated as part of the FCO organisation. He is treated no differently.

Edward Hobart: Which, I might add, includes going through vetting procedures in order to see classified information and work in classified areas.

Q54 **Ian Murray:** So a political appointee would still have to go through the same rigorous checks and balances as someone who would go through an application process.

Sir Simon McDonald: To get access to classified information, yes.

Q55 **Chair:** But not to be appointed? Mr Murray is asking whether any political appointee would have to go through similar scrutiny.

Sir Simon McDonald: A political appointee is made, by definition, by the Prime Minister. She or he will name the person. However, to have access to the information to do that job, that person is subject to security procedures, but that happens after the nomination.

Q56 **Ian Murray:** If a nomination was made and an individual did not pass those security procedures, would they stay in post or would they therefore be barred from being in that position?

Sir Simon McDonald: To my knowledge, that has not happened. If it were to happen, I foresee a difficult conversation for myself with the Foreign Secretary.

Q57 **Chris Bryant:** Some newspapers have suggested that there is more to come; I do not know whether they mean in relation to the United States of America or other places. Obviously, other information has been leaked in other places in recent years—or hacked, I think. Do you expect that, and what are you doing to make sure that we are protected against it?

Sir Simon McDonald: I have seen the same press reports. As you acknowledge, it is entirely speculative as to what it means. I am just bracing myself.

Q58 **Chris Bryant:** So you fear that there may be more.

Sir Simon McDonald: I fear there may be more.

Q59 **Chris Bryant:** In relation to the United States of America or elsewhere, or do you not know?

Sir Simon McDonald: I don't know.

Q60 **Chris Bryant:** It is just what the press have raised. I have one other point about political appointees. This Committee has been to see Lord Llewellyn and we were very impressed by the way he was performing his duties. They obviously have a place. Whereas they are relatively rare in the British system, they are entirely common in the American system. Is there a clash here?



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Sir Simon McDonald: Different countries do this in different ways. I was ambassador to Israel, where the law allows up to 11 political appointees at any one time. As you know, in the United States it is between one third and one half at any one time. In the United Kingdom, it has generally been zero, one or two. Right now, it is just one person, but it is something that has been familiar for many decades.

Q61 **Chris Bryant:** But it has tended to be high commissioners, hasn't it?

Sir Simon McDonald: Latterly; the high commissioner to Australia has been a politician on three occasions in the last 20 years.

Chris Bryant: South Africa.

Sir Simon McDonald: South Africa, as well, but also the United Nations in New York, where Lord Richard was a political appointee.

Q62 **Chair:** Can we move on, because I am conscious of time? I have some quite specific questions. Do you believe that your diplomatic staff are now confident that their communications are secure?

Edward Hobart: I think they understand that there is a human risk, as Sir Simon has pointed out, and therefore the importance of controlling distribution lists. Sir Simon reinforced that message again on Monday. They also understand not to press the forward button. One of our rules is, if you want to press the forward button because you think someone else needs to know, check with the person who sent the message, because maybe they do and that is fine. I think that people understand the systems reasonably well and they know what risks there are. This has been an exceptional week.

Q63 **Chair:** I hear what you are saying about informing staff and getting teams together, but what immediate actions are you planning to take to ensure the confidence of staff overseas, because this is not just about the way that they handle information, but about the way they are supported should that information come out?

Sir Simon McDonald: Well, the investigation is a very important part of reassurance. That is being taken as seriously as it can be. The new system—

Chair: The Foxhound system.

Sir Simon McDonald: Yes—now called Rosa. That has already been rolled out. It is critically important to what happens next.

Q64 **Mr Seely:** Very quickly, looking at the leaks themselves—I don't know if you are able to comment—it does not strike me as a massive Chelsea Manning-style data breach, because it is a mixture of things. It looks more like somebody has got hold of some emails and some diptels, rather than a larger dump of information.

Sir Simon McDonald: I note your view but forgive me for not commenting on it.



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Q65 **Chair:** Have you had any communications with the US embassy here about recent events?

Sir Simon McDonald: I have had a meeting with the US chargé.

Chair: Interview, no coffee?

Sir Simon McDonald: It was a diplomatic encounter.

Chair: Was it a free and frank exchange of views?

Sir Simon McDonald: I would not dispute the characterisation.

Chris Bryant: That is sufficient mandarin.

Chair: Is that the mandarin for yes?

Q66 **Priti Patel:** Sir Simon, I would like to come on to the inquiry itself. Obviously, there is a structure around this inquiry. I would like to ask some basic factual questions, if I may. Who will be conducting the inquiry? What are their terms of reference? Who will they be reporting to? Bearing in mind that while you are the head of the Foreign Office, there will be a bit of transition in the next few weeks with a change in Prime Minister. Do you anticipate the formal result—a report of some sort—to be published fully, or will you wait and see what the inquiry surfaces before you think about what will be published, what will be redacted and what information can go in the public domain?

Sir Simon McDonald: These are all good and essential questions, Ms Patel, but I will look to Mr Hobart to give what we can say at this point.

Edward Hobart: The Cabinet Office is leading the inquiry, working with my team and others. Ultimately, the inquiry will report to the Cabinet Secretary. I cannot really comment on the terms of reference. In terms of a report, I think it will depend where the inquiry goes. That may not have answered your questions, but is there anything very obvious that I didn't answer?

Q67 **Priti Patel:** I appreciate the limitations on what you can answer right now. Are you able to even allude to or indicate the people who will be involved in the inquiry? For example, Sir Simon, you have already mentioned the police being notified. Are you likely to include serving and former Ministers in this inquiry? There have been some changes over the years—in fact, over weeks and months—in terms of Ministers. I know that you can't talk about terms of reference, but is that something that is under active consideration? Are you able to say anything around what kind of action will be taken if people refuse to participate?

Sir Simon McDonald: I note, Ms Patel, that your question is really in the form of a suggestion. We note what you said and will share that with the inquiry.

Q68 **Chair:** Could the Committee meet whoever is leading the inquiry?

Sir Simon McDonald: I will discuss that with the Cabinet Secretary.



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Chair: Thank you. We would be very grateful.

- Q69 **Mr Seely:** Finally on this, do you have any time lengths in mind? Are you looking to get an interim report in a month? Are you going to be coming back in six months' time saying, "We are still looking at things"?

Edward Hobart: It is only three days in, so we really don't have that scoped out yet. It depends where the initial leads take us.

Sir Simon McDonald: But be assured that there is a sense of urgency.

- Q70 **Mr Seely:** If you don't find out something in the next two to three weeks, are you going to come back and say, "We are still looking—here are the interim findings"? Or is there going to be radio silence until you come up with the final conclusion?

Edward Hobart: I really think it is too early to say. I know that Sir Simon has made an undertaking to come back later on, at some future date.

Chair: You know you will be back!

Sir Simon McDonald: I know I will.

Edward Hobart: But on this subject.

- Q71 **Chair:** Exactly. Sir Simon, the 2016 article that I highlighted earlier was clearly a leak. What was the inquiry that followed up from that?

Sir Simon McDonald: I do not have that specific article or cable in front of me, but I will write to you and let you know.

Chair: Thank you. I would be very grateful. It would be more than a shame for this culture to endure.

- Q72 **Ian Murray:** Just one last question. I want to pursue a little the political appointments. Can you just give us a flavour of the top four or five specifications that you would have in an advert for the UK's top political ambassadorial job in America?

Sir Simon McDonald: There is a distinction between political appointees and ambassadors for which we advertise externally. A political appointee is made on the decision of the Prime Minister. That is allowed by the CRAG Act 2010. Right now, we have just one, as I have mentioned—Lord Llewellyn. We also have the option of advertising externally, which we do from time to time—most recently, last month. We put an advert in *The Economist* and the *Financial Times* for three senior ambassadorships and one governorship. Right now, there are live competitions for the ambassadors at Luxembourg, Kuwait and Seoul, and for the governorship of Gibraltar. Those initial competitions close later this month and then there will be a process in which internal candidates will be considered alongside external ones, and a recommendation will be made to the Foreign Secretary.

- Q73 **Ian Murray:** So at no time will there be a specification on the job that says—



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Sir Simon McDonald: For the external ones, yes. There is a job description. Possible candidates can see the skills and competencies we are looking for as they weigh whether or not to apply. That is part of the process. A purely political process does not include that.

- Q74 **Ian Murray:** So the specification to put in a non-remainder who wants a trade deal with America, which has just been tweeted by someone who has already tipped themselves for the post, would not be part of the specifications.

Sir Simon McDonald: That would not be part of the FCO's specifications.

- Q75 **Mr Seely:** Can I just ask about the nature of diptels? Do you write them for FCO staff? Do you write them for Ministers? Do you write them for both? Or do you write them so that diplomats here can shape opinions and give Ministers options? Who is the ultimate audience?

Sir Simon McDonald: I have been an ambassador twice, Mr Seely, and diptels were a key part of communication when you wanted to get information widely through the system. Diptels are a form of communication that is shared around Whitehall. It is generally information that is not particularly sensitive, but which is not being picked up in the main media and which British officials would benefit from knowing.

- Q76 **Mr Seely:** Are there periods in our history when you feel diplomats have had to be more politically astute? I am thinking maybe of the ambassadors in Berlin, Moscow and America in the 1930s and 1940s, who were writing when tumultuous change was taking place in those countries, but also back in the UK when you are writing for a political culture that might have been out of step with what the Foreign Office thought was happening or thought would happen.

Sir Simon McDonald: Our duty as public servants is clear, no matter the Government of the day. The definition of a public servant is someone who can work for whatever Government the people elect.

- Q77 **Mr Seely:** Has that culture been consistent through periods of our history when there have been significant political changes, either here or abroad in those countries?

Sir Simon McDonald: From my reading of our history, yes. We have consistently sought to give an objective, impartial and honest stream of advice.

- Q78 **Chris Bryant:** Well, maybe Sir Neville Henderson in Berlin in the late 1930s was seeking to please Neville Chamberlain and Adolf Hitler at the same time rather too much to be able to give candid and proper advice.

I wanted to ask about the political appointments. I didn't quite understand what you said earlier. When it is a political appointment, is it an idea that springs up in the Prime Minister's mind, "I'm going to appoint X," Or is there a formal process, where one decides that this is going to be a political appointment, not a traditional diplomatic service one, and then there is a second process whereby there is an advert and



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they decide on who that political appointee is going to be? Is it just a decision in the head of the PM?

Sir Simon McDonald: My experience of political appointees is that the Prime Minister decided that he—Mrs May has not done this—wanted to make a political appointment, with a person in mind. There is no advert, no job spec; it goes through the system in a different and quicker way. The advert I talked about is not for a political appointment; it is for an appointment on merit, but seeking a wider selection of candidates.

- Q79 **Chris Bryant:** Under the CRAG Act, which applies to all appointments of civil servants from outside the civil service. In this moment, you are intending to start the process for the Washington post, in the normal, conventional, diplomatic service way.

Sir Simon McDonald: Kim resigned less than three hours ago and he is available to serve. He is not disappearing from Washington immediately. I will discuss that process with the Foreign Secretary as soon as I see him.

- Q80 **Chair:** In just over three months, we are making a fundamental change to our foreign policy lay down. Are you confident that the Foreign Office is correctly structured and has the appropriate systems to manage an international network, at a time that has never been more important to the United Kingdom?

Sir Simon McDonald: We are working on it, Mr Chairman. In the past two years, we have expanded that network. We have returned particularly to some Commonwealth countries, from which we had withdrawn in the first decade of this century. When this expansion is complete, which will be by the end of next year, we will have missions in 161 countries, so we will have the biggest network of any European country.

- Q81 **Chair:** I appreciate what you are saying but that is a numerical answer to a qualitative question. Whether or not the Foreign Office is ready is as much a question about morale at the mission in Washington and Paris as it is about the number of missions we may have in sub-Saharan Africa.

Are you confident that those we send abroad and ask to undertake some of the most important jobs on behalf of the British people are appropriately supported, resourced and encouraged to take on those roles and deliver the best that they can for Britain?

Sir Simon McDonald: Yes, but we have more work to do. We had our leadership conference in London last month, when all heads of mission returned to London. My reading of the mood was that morale was quite high. People like a serious job of work to do and we surely have a serious job of work to do.

- Q82 **Chair:** You do. Can I close the session by thanking you for coming at incredibly short notice and for giving us an hour of your time? I am extremely grateful. Secondly, I ask, on behalf of the Committee, for you to pass on our very deep gratitude to Sir Kim, not just for his four years in Washington, but for his 30 or more years in the service—

Sir Simon McDonald: Forty-two.



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Chair: Forty-two years; there we go—I was three when he came to the Foreign Office. I ask you to thank him for his 42 years serving our country in any number of different posts, with enormous distinction and great personal courage. Could you also please pass on to your entire staff our very deep gratitude for the work that you do and our respect for their endeavours? I know this is a hard time for them and we are grateful.

Sir Simon McDonald: I shall do the first when I speak to Sir Kim later and the second when I see my colleagues at 4 o'clock.

Chair: Thank you very much.