

Shan Morgan
Ysgrifennydd Parhaol
Permanent Secretary



Llywodraeth Cymru
Welsh Government

Assembly Members
National Assembly for Wales
Cardiff Bay
CF99 1NA

16 March 2018

Assembly Members,

Leak Investigation Report

On 28 February the National Assembly for Wales passed a resolution calling on me to publish, with appropriate redactions to ensure anonymity of witnesses, the report into my investigation on “whether there is any evidence of a prior unauthorised sharing of information – i.e. a “leak” - by the Welsh Government of information relating to the recent Ministerial reshuffle”.

In the light of this resolution the First Minister has asked me to give further consideration to my position that, in accordance with established UK Civil Service procedures, the report should not be disclosed because of the risk of prejudicing future investigations.

After studying very carefully the points which were made during the debate I have concluded that I could, in the light of the resolution from the Assembly, and comments from Members, provide more information about the way in which leak investigations are conducted, without prejudicing the conduct and confidentiality of future investigations.

It would not be appropriate for me to release any details about who was interviewed during the investigation or the information given. As well as the obvious risk of a breach of personal data, it would also act as a disincentive to potential witnesses to come forward or to co-operate in future investigations if they could not be confident that their anonymity, and the information which they supplied, would be protected. Similarly, I do not feel it appropriate to release the report itself, either in full or in a redacted form, because of the implications for the handling of future investigations.



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding

Leak investigations in the Welsh Government are commissioned by the Permanent Secretary, either at the request of, or with the agreement of, the First Minister. They are normally conducted by the Government's Chief Security Officer who is experienced and trained in conducting such investigations. It is up to the Chief Security Officer to determine for himself, within the standard guidance, how he wishes to carry out the investigation and who he wishes to interview. He will be given specific terms of reference for the investigation. He will meet me and the Director of Governance (his line manager) at regular intervals to discuss progress with the investigation. When his work is completed he will submit to me and to the Director of Governance a closure report. The conclusions of the investigation, and the final content of the report itself, are solely for him. Neither I nor any other official or member of the Welsh Government would, or could, require him to conclude anything with which he is not in agreement.

There is a standard framework for leak investigations. As you will appreciate, we are unable to give specifics so as not to undermine the effectiveness of future investigations but it includes evaluating all information relating to the leak, identifying precisely who had access and when and looking closely at how the information may have got into the public domain. A number of investigatory tools are used including, where relevant, interviews with individuals within scope of the investigation. The process is not straightforward or a linear one as actions may be reviewed or reassessed in the light of emerging facts. Once the work has been concluded, the Chief Security Officer will draw conclusions on the basis of the evidence and will submit a report and findings to me.

The Chief Security Officer is – as you would expect – meticulous about documenting and recording all of the interviews he conducts and the evidence on which he bases his report. The reports are short documents outlining the methodology and setting out his findings based on the evidence which he has collected.

On 4 December, following an instruction from the First Minister to me, the Chief Security Officer was commissioned to investigate “whether there is any evidence of a prior unauthorised sharing of information – i.e. a “leak” – by the Welsh Government of information relating to the recent Ministerial reshuffle”. Investigations commenced immediately along the standard practice lines outlined above. All individuals with potential access to information about the reshuffle were required to respond with specific detail relevant to the investigation.

It is unusual for persons outside the Welsh Government to be interviewed in relation to leak investigations, but on this occasion some interviews were conducted with some external individuals who proactively came forward to volunteer information or were identified as possibly having information that could be relevant to the investigation.



The conclusion of the Chief Security Officer in this case was that there was no evidence of prior unauthorised sharing of information by the Welsh Government of information relating to the Ministerial reshuffle.

I hope that Assembly Members will recognise that I have gone as far as I feel that I possibly can to respond positively to the resolution of the Assembly without divulging details of those interviewed or the evidence which they submitted.

Yours,

A handwritten signature in black ink, reading 'Shan Morgan', with a long horizontal flourish extending to the right.

Shan Morgan
Ysgrifennydd Parhaol/ Permanent Secretary
Llywodraeth Cymru/ Welsh Government



