



Dame Diana Johnson MP  
Chair, Home Affairs Select Committee

**BY EMAIL ONLY**

31 October 2022

Dear Dame Diana,

1. I am writing to you to address issues related to my resignation as Home Secretary on 19<sup>th</sup> October.
2. As I indicated in my letter to the then Prime Minister, I accepted that I had made a mistake, took responsibility and resigned as Home Secretary. In my appointment discussion with the new Prime Minister, I raised this mistake and apologised to him, and would like to do so again here. I also gave the Prime Minister assurances that I would not use my personal email for official business, and reaffirmed my understanding of and adherence to the Ministerial Code.
3. Given the level of speculation about the sequence of events that led to my resignation, including several inaccuracies, herewith is a detailed account about the circumstances of my resignation. I know how important the issues being raised are, and that is why I want to be fully transparent with Parliament and specifically with your Committee.

**CONTEXT**

4. As part of the then Government's Plan for Growth, there was rapid work underway to agree a cross-Government position on migration, both illegal and legal. I was set to lay a Written Ministerial Statement in Parliament on Thursday 20<sup>th</sup> October to outline the Government's position, in order to allow the Office for Budget Responsibility to incorporate the position into their forecasts ahead of the anticipated fiscal statement on 31<sup>st</sup> October. Given the timetable we were working to, content was being iterated at pace between the Home Office, Number 10 and other Government departments.
5. Alongside this policy development process within Government, as part of routine parliamentary handling, and as specifically requested by the then Prime Minister and her team, Home Office ministers and I were regularly engaging with parliamentary colleagues to discuss the issues due to be covered in the Written Ministerial Statement. I had already held several meetings with 15-20 parliamentary colleagues to discuss these issues.
6. Late in the evening on Tuesday 18<sup>th</sup> October, I had a near final version of the Written Ministerial Statement ('draft WMS'). It was to be discussed and agreed at a planned

meeting of the Home Affairs Committee, a Cabinet sub-Committee, on Wednesday at 13.00 (the planned meeting was subsequently cancelled at the last minute and did not proceed). The four-page document contained high level policy on illegal migration and legal migration proposals.

7. I want the Home Affairs Select Committee to be reassured on the very important point about the nature of the document that I shared by mistake. The draft WMS did not contain any information relating to national security, the intelligence agencies, cyber security or law enforcement. It did not contain details of any particular case work. It did not contain any market-sensitive data as all the data contained in the document was already in the public domain. It was not classified as SECRET or TOP SECRET.
8. The draft WMS consisted of high-level proposals for liberalising our migration rules under the Points Based System for workers, for example increasing the number of low-skilled foreign workers, as well as general plans for controlling illegal migration. Much of the draft WMS had already been briefed to key MPs, including Sir John, at the request of the then Prime Minister and her team.
9. Notwithstanding that large parts of it had been agreed between the Home Office, Number 10 and other departments, I fully acknowledge that there did remain some sentences which had not been fully agreed by all departments. Because there were some aspects of the statement that had not been collectively agreed, it was not the correct approach to share the document at this stage. That is why it was right I apologised to the then Prime Minister, took responsibility for the error, and resigned.

#### **EVENTS OF 19<sup>th</sup> OCTOBER**

10. I would like to explain the nature of my workload on the morning of 19<sup>th</sup> October to help the Committee understand why I took the action I did at specific times. My programme for the morning of 19<sup>th</sup> October involved me leaving home at 04.00 to join an operational raid undertaken by the National Crime Agency from 05.40 to 06.40. After the raid, I then travelled to the Home Office (a two-hour car journey).
11. During this car journey to the Home Office, I worked. I read papers that had been printed the night before and, in particular, considered the draft WMS on migration. I did not have my departmental phone (and therefore departmental email) on me at the time. I only had my personal phone and email to hand. The Prime Minister's Private Office had sent further minor edits to the draft WMS the night before, which had arrived too late to be printed by officials. I therefore asked my Special Adviser to send me the latest version of the draft WMS.
12. At 07.25, while in the car returning from the visit, and as part of the parliamentary engagement set out above, I used my personal email account on my personal phone to email the draft WMS to Rt Hon Sir John Hayes CBE MP, former Security Minister, Privy Counsellor, and Member of the Intelligence and Security Committee, with the message: *'Dear John, What do you think? I'll need to take a view this morning by 10am.'* I addressed it to Sir John's parliamentary email and intended to copy his secretary's parliamentary email address. However, I entered the incorrect email address for his secretary unintentionally and unknowingly.
13. I did not receive a reply from Sir John and I did not look at my phone again until sometime later. I arrived at the Home Office just before 09.00 and went straight into back-to-back meetings with officials. These included a critical operational meeting

about the developing situation at Manston, followed by a meeting with a Non-Executive Director of the Home Office to discuss overall Home Office performance.

14. At some point before or around 10.00, and in between meetings, I checked my personal emails and saw that I had received an email reply to my message, timed 08.34 not from Sir John but from a parliamentary employee saying: *'This has been sent to me in error.'* I did not recognise the person who had sent this message, but noted that it was from a parliamentary email address with a similar name to Sir John's secretary.
15. This was the moment that I realised that I had made a mistake by sending it to an unintended recipient. I decided that I would inform my officials as soon as practicable.
16. At 10.02, wanting to take immediate action and minimise the circulation of the document, I replied to the parliamentary employee saying: *'Please can you delete the message and ignore. Thanks'*.
17. I then had to go straight into a Home Office Departmental Board Meeting which I chaired for the next hour or so. This meeting was about Home Office priorities and improving delivery of our objectives.
18. The meeting overran and I had to quickly leave the Home Office to get to the House of Commons to keep a prior appointment to meet two Constituents. I met them at about 11.20 in Central Lobby. I then spent about 20-25 minutes with them and left them in Members' Lobby at about 11.45.
19. At 11.50 in Members' Lobby, and by coincidence, I saw the Chief Whip and Andrew Percy MP. The Chief Whip asked me to speak to Mr Percy MP. He told me that my email had been received by a member of his parliamentary staff. He was concerned about my having sent the email to Sir John and to his staff member. I apologised and said that this was the first time that I had used my personal email to send an official Home Office document to someone outside government, that there was no risk to security due to the content, and that I would ensure that this would never happen again.
20. I acknowledge that I made an error of judgement in emailing the draft WMS on my personal email to Sir John and I am sorry that I did. Sharing the whole document was not the right approach – instead, I should have discussed any further points verbally as I had done in previously requested engagement meetings with MPs.
21. At midday I decided that I would not attend PMQs as planned, so that I could take action regarding my mistake. I returned to my parliamentary office. This was the first opportunity I had had to communicate in full what had happened.
22. There, I explained the above chronology to my Special Adviser and asked him to phone my Private Secretary immediately. I asked him to inform my Private Secretary of the chain of events set out above and make clear that I wanted to fully report the breach and follow official processes. I wanted official advice on what I needed to do next. This included any reviews that were deemed appropriate by senior civil servants.
23. It was then that I looked at my phone to see that Mr Percy MP had replied to my email of 10.02. It was timed 11.33 and said:

*Suella*

*I am really not sure that government documents should be being shared with members of your former campaign team via gmail.*

*Can you tell me what the Ministerial Code says on this and what the processes are in the Home Office for the sharing of sensitive government documents via gmail.*

*Simply asking my team to delete this email and ignore it is not an acceptable response to what appears, on the face of it, to be a potentially serious breach of security.*

*I am considering a point of order on this issue and have raised it with the Chief Whip.*

*I hope an explanation will be forthcoming. You are nominally in charge of the security of this nation, we have received many warnings even as lowly backbenchers about cyber security.*

*Andrew Percy.*

24. At around this time, I also checked my WhatsApp messages and found that the Chief Whip had sent me a message at 11.31 asking me to speak to Mr Percy about an email I had sent at this time. I replied to the Chief Whip at 12.11 stating that I was happy to speak to her about the matter.
25. Immediately after being told, my Private Secretary discussed the issue with the Permanent Secretary, and with his agreement then flagged the issue on my behalf to the Prime Minister's Private Office and the Cabinet Secretary's Private Office. This was the first time the Prime Minister's Private Office or the Cabinet Secretary's Office had been informed. As a result of my actions, the Cabinet Secretary was told for the first time. Separately, and unbeknownst to me at the time, the Chief Whip had also notified the Prime Minister of this issue. This was not known to me until after these events.
26. At 12.56 and 12.57, I emailed all of the relevant emails to my Private Secretary as part of my referral to officials. Following a meeting with the Cabinet Secretary in my parliamentary office at around 14.00, I then met the former Prime Minister at around 14.45. Shortly thereafter I tendered my resignation to her.
27. The Guidance on 'Security of Government Business' makes it clear that you should not use your personal IT (eg devices, email and communications applications) for Government business at any classification; and the Government's stated position is that Government systems should, as far as reasonably possible, be used for the conduct of HMG business. I acknowledged then and continue to acknowledge that my mistake on 19<sup>th</sup> October constituted a breach of the Ministerial Code in two ways – a breach of the process of collective agreement by sharing a Cabinet Sub-Committee paper with a backbench MP (paragraph 2.3); and a breach of Government security guidelines by using my personal IT for Government business (paragraph 2.14) where it was not reasonably necessary. And that is why I took responsibility and resigned.
28. The draft WMS did not contain new statistical information that was not already in the public domain, nor did it contain any information about national security. It was a summary of the Government's policy on migration, which was close to being finalised, but had not yet been agreed at the relevant committee, prior to publication later that day. However, as a draft WMS it is of course sensitive and so I am not publishing it here. I would be happy to share it with you, as Chair of the Home Affairs Select Committee, on a confidential basis.

## **REVIEW**

29. Following my referral and subsequent resignation, the Home Office conducted a review of my use of personal email and verified the above sequence of events. The review

also identified that within the period between 6<sup>th</sup> September and 19<sup>th</sup> October, I had sent official documents from my Government email to my personal email address on six occasions (see **Appendix**). The review confirmed that all of these occasions occurred in circumstances when I was conducting Home Office meetings virtually or related to public lines to take in interviews. Some of these meetings had been hastily arranged in response to urgent operational matters relating to Home Office priorities. The review also confirmed that on no other occasions had my Special Adviser emailed my personal account in relation to official business.

30. As I was joining the Home Office meetings virtually and occasionally while in transit – via MS Teams and where I would be looking into the camera and visible on screen – on my Government-issued phone, I was therefore of course unable to simultaneously read the necessary official documents on the same screen of the same mobile device. It was not possible to use a single device to conduct the meetings and read the documents at the same time. Therefore, I had occasionally and exceptionally emailed them to my personal email account so that I could read the documents in order to conduct essential Government business. In all of these incidents, it was more practicable to use my personal phone to read the documents and was within permitted use; such use of my personal IT was reasonable and carried out in the public interest in order to enable me to do my job.
31. None of the documents in question concerned national security, intelligence agency or cyber security matters and did not pose any risk to national security. None of the documents were classified as SECRET or TOP SECRET.
32. I only used my personal email in instances where I judged it reasonable, given the circumstances. In accordance with the Guidance, as noted above, it was not reasonably possible to act otherwise. I have discussed those instances with my Permanent Secretary and he acknowledges and accepts my explanations.
33. The review also confirmed that I had never used my Government email to send any information to external recipients outside of Government. Other than 19<sup>th</sup> October, I have not used my personal email account to send official Home Office documents to other people outside of government. There is no other person who has access to my personal email account.
34. In my appointment discussion with the new Prime Minister, I assured him that I would no longer use personal IT for Government business. I have requested briefing and guidance by security experts on what constitutes appropriate use of Government and personal IT. I have now received this briefing. This fulsome and detailed security briefing by officials was supplementary to the briefing by officials when I was first appointed as Home Secretary at the beginning of September. My Ministerial team and those who work with me closely will all receive the same training.
35. The review of my use of Government and personal IT has now concluded and that matter is now closed.

## **CONCLUSION**

36. I have been transparent about my mistakes relating to the Ministerial Code. As referenced above, at the heart of the Code lies the principle of responsibility on Ministers, *'for deciding how to act and conduct themselves in light of the Code and for justifying their actions and conduct to Parliament and the public'* (paragraph 1.6). Of

course, the Prime Minister is the ultimate judge of standards and the appropriate consequences of a breach of the standards. There is a range of sanctions including a public apology or remedial action.

37. Although the level of risk here was low, the document did not relate to national security or law enforcement matters and the breach was swiftly and proactively reported to officials, I nevertheless decided to take full responsibility by tendering my resignation.

38. I am sorry for the errors of judgement set out above and I reiterated my apology to Mr Percy MP yesterday. I hold myself as Home Secretary to the highest possible standards and I am glad to be able to serve again. I am grateful to the Prime Minister for his ongoing confidence following my reappointment.

39. I am also grateful for the engagement of senior Cabinet Office and Home Office officials in preparing and confirming this account of events.

40. I look forward to getting on with the important business of the Home Office and Government, and also look forward to my session with you and your Committee on 23<sup>rd</sup> November. I will arrange for a copy of this letter to be placed in the Libraries of both Houses.



**Rt Hon Suella Braverman KC MP**

## Appendix

Time	Date	Comment
08.46	15 Sept 2022	Attached papers and briefing for a Ministerial meeting on illegal / legal migration. Attended 08.45 virtual pre-brief meeting while in transit.
14.10	19 Sept 2022	Attached papers and briefing for a 14.15 virtual meeting whilst in transit on recent protest activity and public disorder.
10.49	30 Sept 2022	Attached media briefing with public lines ahead of a virtual newspaper interview attended whilst off site.
15.22	05 Oct 2022	Attached papers and briefing sent whilst in transit for a 17.00 virtual meeting that was subsequently cancelled.
18.44	14 Oct 2022	Attached submission on protest activity that was the subject of a virtual Ministerial meeting set up on Friday evening. The meeting was due to take place on morning of Saturday 15 Oct 2022, it was subsequently held on morning of Sunday 16 Oct 2022 (attended virtually from home).
08.07	16 Oct 2022	Attached briefing for same virtual Ministerial meeting on protest activity on Sunday 16 Oct 2022 (attended virtually from home).