



INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT



CHAIRMAN: THE RT. HON. SIR MALCOLM RIFKIND, MP

**Intelligence and Security Committee of Parliament further Inquiry on the Role of
the UK Government and Security and Intelligence Agencies in relation to
Detainee Treatment and Rendition**

Senate Intelligence Committee Report

The Intelligence and Security Committee of Parliament has, since June this year, been investigating the possible involvement of the UK security and intelligence Agencies in torture or mistreatment. Last week's Report by our counterparts on the Senate Intelligence Committee is highly relevant to that Inquiry and the Committee is now studying the Report carefully.

The published version of the report has been redacted to ensure that security is not put at risk. In this country, questions have been raised over the extent to which those redactions were made at the request of the UK authorities, and the nature and purpose of any such redactions. The Intelligence and Security Committee has already begun questioning both MI5 and MI6 on that issue. We will receive all the primary evidence from both Agencies and will scrutinise whether any requests which were made were justified on grounds of national security, and not – as some have suggested – to avoid embarrassment. Our intention is to gain a complete understanding as to how and why any references to the role of the UK have been redacted in the Senate report, including whether the redactions were made at the request of the UK, or by the US authorities themselves. Where we need to seek information concerning UK involvement or complicity direct from US sources, we will not hesitate to do so.

The scale of our Inquiry into detainee treatment is such that it will not be completed in the next three months. The Committee will, in the usual way, be dissolved at the end of this Parliament. It must accordingly fall to our successors, when the Committee is reconvened in the next Parliament, to complete the Inquiry and to make the judgements which will underpin its conclusions and recommendations.

However, if - as a result of our examination of the redactions of the Senate Intelligence Committee Report relating to the UK - we feel it necessary in the meantime to raise any concerns, we will do so.

17 December 2014

Notes to Editors

1. The Intelligence and Security Committee of Parliament (ISC) regards its Inquiry into detainee treatment and rendition issues as one of the most important tasks in which it is currently engaged.
2. The Committee is taking forward the work begun by Sir Peter Gibson – whose interim report was published in December 2013 – to examine the possible involvement of the UK security and intelligence Agencies in torture or mistreatment. This includes whether the UK may have acted upon information gained as a result of torture or mistreatment, and the extent of UK association with, and knowledge of, the operations of other intelligence services who may have been engaged in such activities.
3. Over the summer, additional resources to support this Inquiry were made available to the Committee – as the Government had promised – and work on analysing the primary material is already well under way. On 11 September, 2014 the Committee issued a public call for evidence to the Inquiry. The Committee will remain open, throughout the course of the Inquiry, to constructive inputs from all interested parties.
4. The Intelligence and Security Committee has been closely concerned in matters related to detainees for nearly a decade, and has previously produced reports on the *Handling of Detainees by the UK Intelligence Personnel in Afghanistan, Guantanamo Bay and Iraq* (Cm 6469, 2005) and on *Rendition* (Cm 6762, 2007). Since the publication of those reports, it has become clear that the Committee was not provided with all the information available to the Agencies. It is possible that the Committee would have reached different conclusions if it had been aware of the full picture.
5. As a direct result of these problems, the Committee itself put forward proposals for reform of its powers. These were made available to the Committee under the Justice and Security Act 2013, and they have transformed the way in which the Committee exercises its oversight function. The Committee now has a statutory right of access to papers held by the UK intelligence community, as well as being able to take evidence from both current and former Ministers and officials – under oath if it so decides. As a result the Agencies are now required to undertake the same searches in response to a requirement from the Committee as they have to for a court case. ISC staff can go into the Agencies and inspect their files.
6. The effectiveness of these new powers has been demonstrated in the inquiries undertaken since the implementation of the Act. The thoroughness with which the Committee were able to investigate, and then report on, the *Intelligence Relating to the Murder of Fusilier Lee Rigby*, has been widely recognised. The ISC are currently undertaking a major investigation into Privacy and Security – a matter of considerable public and parliamentary interest – and will publish its findings on that in the New Year.
7. The Committee is confident, based on its recent experience, that it will have the necessary powers, resources and access to relevant material to conduct a searching Inquiry into detainee and rendition matters. There are critical issues relating to allegations regarding the possible involvement of the British Security and Intelligence Agencies in torture or mistreatment, which must now be investigated fully.
8. This Inquiry into detainee and rendition issues is a significant piece of work, which involves sifting through thousands of highly classified documents, including file notes, emails and intelligence reports, and then questioning a potentially large number of witnesses. It will cover a wide range of topics: not only the role of the UK security and intelligence Agencies in the years after 11 September 2001, but also how well the mechanisms put in place to remedy the mistakes of that period are operating today.