



INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT



Chairman: The Rt. Hon. Dominic Grieve QC MP

The Rt. Hon. Dominic Grieve QC MP, Chairman of the Intelligence and Security Committee of Parliament, has today issued the following statement:

“The current Intelligence and Security Committee was constituted in September 2015, just over 18 months ago. Therefore much of the work of the Committee over this period has been spent conducting Inquiries which are still underway, and have yet to report. Notably, our Annual Report for 2016–17 – which we had completed last week – will not now be published this session, as we had intended. This is disappointing: the Report is a comprehensive look at the work being done across the intelligence community against the various national security threats, and a detailed consideration of the budget, staffing and administration of the seven organisations which the Committee oversees. I hope that our successors will publish this Report when they are appointed. However in the meantime I wish to place on record a summary of the work that the Committee has been conducting since the publication of our last Annual Report in July 2016.”

The Committee has held 21 full committee meetings and 19 formal evidence sessions with, amongst others, the Foreign and Home Secretaries, the former National Security Adviser, the three intelligence Agencies, Defence Intelligence, the Office for Security and Counter-Terrorism, and the Joint Intelligence Committee; held 20 other meetings; visited the Agencies and other parts of the intelligence community for briefings on six occasions; held bilateral discussions with those in the American, Canadian and French intelligence communities; and hosted delegations from Australia, Canada, Jordan, Pakistan and the US.

In our last Annual Report we detailed our work on the Investigatory Powers Bill, which built on our earlier reports ‘Privacy and Security: A modern and transparent legal framework’ and ‘Report on the draft Investigatory Powers Bill’. The Bill was introduced to Parliament in March 2016 and the Committee tabled a significant number of amendments, starting with 21 individual amendments at Report stage in the House of Commons. In the House of Lords we tabled nine amendments at Committee stage and three at Report stage. The Government accepted a significant number of our amendments. Chief amongst these were: the inclusion of a general privacy safeguard in Section 1 of the Act, and a requirement that the Investigatory Powers Commissioner keep under review the operation of safeguards to protect privacy; greater independent oversight of warrants which allow intrusive action against a group of people, as opposed to named individuals (known as “thematic warrants”); and disallowing the use of a class Bulk Personal Dataset warrant where the dataset contains a substantial proportion of sensitive personal data. We also worked closely with a former Member of the Committee, Lord Butler of Brockwell, when he proposed amendments to make the abuse of bulk powers an offence under the Act (in the absence of an overarching offence). The Investigatory Powers Act achieved Royal Assent on 29 November 2016, following what amounted to a year’s sustained engagement from the Committee to improve the original proposals. The Act represents a significant step forward in the transparency and governance of the Agencies’ intrusive powers.

We have also spent a very substantial amount of time since October 2015 investigating the possible involvement of the UK Government and Security and Intelligence Agencies in detainee mistreatment and rendition. We have to date considered over 40,000 documents and heard around 60 hours of oral evidence: we are grateful to all those who have given their time to help us with our Inquiry thus far. We have reached the point in the Inquiry where it only remains to take evidence from certain individuals who were ‘on the ground’ at the time. It is deeply disappointing that we have not had access to those individuals in sufficient time to conclude our Inquiry prior to the Election. We regard it as essential that our successors continue this work.

A further significant strand of work has been considering the diversity of the UK security and intelligence community. We have reported previously on the demographics of the Agencies, concluding that at senior levels, in particular, they are not gender-balanced and do not fully reflect the ethnic make-up of modern Britain. We have called for greater efforts to be made to ensure more diverse and inclusive workforces: not only should the Agencies reflect the diversity of the UK as a matter of principle, but the Committee is confident that increased diversity will lead to better responses to the range of threats that we face to our national security. There are significant business and operational benefits to be gained from a broader range of backgrounds and views being represented within any organisation and the security and intelligence community are no exception. Greater diversity not only provides a competitive advantage (increasing innovation and creativity amongst employees, and improving staff motivation and efficiency), but it also provides greater operational capability. In addition, if all staff are from similar backgrounds with similar characteristics, they may share ‘unconscious biases’ that circumscribe both the definition of problems and the search for solutions – heightening the risk of ‘groupthink’.

The Agencies have made genuine progress on diversity and inclusion issues over the last few years, but there is still further to go, particularly in relation to the collection of robust data against which to measure their progress. Over the past nine months the Rt. Hon. Fiona Mactaggart MP has, on behalf of the full Committee, been considering diversity and inclusion in detail within each of the organisations that fall within our remit. It is regrettable that the early election has meant that she was unable to conclude this important piece of work, but we hope that our successors will publish a full report in due course.

The Committee has been supported in its work by a team of seven core staff and seven Detainee Inquiry staff. These staff have an immensely difficult job to do. They act independently in support of the Committee and this is not always easy or popular with those who do not understand the importance of robust independent oversight. We have made clear that the Committee’s staff will continue in post while Parliament is dissolved and before our successors are appointed, during which time they will progress the work outlined above in readiness for the new Committee.

Finally, we urge all political parties to prioritise the appointment of members to the Intelligence and Security Committee following the General Election: it is not in the public interest for oversight of the intelligence community to be left unattended for any period of time.”

NOTES TO EDITORS:

1. The Intelligence and Security Committee of Parliament (ISC) was established in 1994 under the Intelligence Services Act, and was reformed in 2013 year under the Justice and Security Act. The ISC is a cross-party committee of nine parliamentarians from the Commons and the Lords. The Committee's membership for 2016/17 is as follows:

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| <i>The Rt. Hon. Dominic Grieve QC MP (Chair)</i> |
| <i>The Rt. Hon. Richard Benyon MP (from 21 October 2016)</i> |
| <i>The Rt. Hon. David Hanson MP (from 21 October 2016)</i> |
| <i>The Rt. Hon. the Lord Janvrin GCB GCVO QSO</i> |
| <i>The Most Hon. the Marquess of Lothian QC PC</i> |
| <i>The Rt. Hon. Fiona Mactaggart MP</i> |
| <i>The Rt. Hon. Angus Robertson MP</i> |
| <i>The Rt. Hon. Keith Simpson MP</i> |
| <i>The Rt. Hon. Gisela Stuart MP</i> |

2. The Committee routinely takes evidence in private, and its Members are subject to the Official Secrets Act 1989. This ensures they are able to scrutinise the most sensitive work of the intelligence Agencies which cannot be made public. However, when producing reports, the Committee aims to put as much material as possible into the public domain, subject only to restrictions on grounds of national security or *sub judice* rules.
3. Under the Justice and Security Act 2013 Members of the ISC are only appointed for the duration of the Parliament. Therefore, when Parliament is dissolved on 3 May, the Committee will be dissolved pending the appointment of Members to a new Committee after the election.
4. Following the election, it will be for the Prime Minister, in consultation with the Leader of the Opposition, to nominate candidates for membership of the Committee for consideration by Parliament. Following the 2015 General Election, the appointment process took nearly five months.