



INTELLIGENCE AND SECURITY COMMITTEE
35 Great Smith Street, London SW1P 3BQ

17 March 2009

Alleged complicity of the UK security and intelligence Agencies in torture or cruel, inhuman or degrading treatment.

The Intelligence and Security Committee (ISC) has today written to the Prime Minister regarding the alleged complicity of the UK security and intelligence Agencies in torture, or cruel, inhuman or degrading treatment.

Speaking on behalf of the Committee, the Chairman, Dr Kim Howells, MP said:

“In 2007 the Intelligence and Security Committee published a report on Rendition. This considered whether the UK security and intelligence Agencies had any knowledge of, and/or involvement in, rendition operations, and their overall policy for intelligence sharing with foreign liaison services in this context. The report detailed four cases of rendition dating back to 2002 which illustrated key developments in the awareness of the changing nature of the US rendition programme. One of these cases was that of Binyam Mohamed, an Ethiopian national.”

“Since our report was published there have been a number of new developments on which, as we already made clear in our 2007-2008 Annual Report, we have been conducting further investigations over the past year. One of these developments dates from mid- 2008, when we were informed by the Director General of the Security Service that new information had come to light about the Binyam Mohamed case which had been overlooked during the Committee’s original rendition inquiry.”

“The Intelligence and Security Committee does not investigate individual cases – any allegations of misconduct by, or on behalf of, the UK intelligence and security Agencies are a matter for the Investigatory Powers Tribunal (IPT), which is the appropriate statutory body to undertake a full independent investigation of such allegations. This Committee’s role is to examine the expenditure, administration and policy of the security and intelligence Agencies. However, in this instance we considered that this new evidence had a far wider significance that went beyond an individual case, and that it raised questions about the policy

and procedures that our security and intelligence Agencies follow. As such it was clearly a matter for the Intelligence and Security Committee and we therefore considered that a further detailed investigation was essential.”

“As a result we have taken further, in depth, evidence from the intelligence and security Agencies, and the Foreign and Commonwealth Office. We have today reported our findings on a number of aspects – including the issues raised about the policies that the UK security and intelligence Agencies have followed and should follow – and made recommendations to the Prime Minister.”

“The issue of whether an officer from the Security Service committed a criminal offence in relation to the case of Binyam Mohamed is currently under investigation by the Attorney General and Director of Public Prosecutions. The Committee will therefore not be making any further public comment at this time.”

NOTES TO EDITORS

1. The Intelligence and Security Committee (ISC) published its report on Rendition in July 2007. The Report examined whether the UK intelligence and security Agencies had any knowledge of, and/or involvement in, rendition operations. The Report also considered the Agencies overall policy for intelligence sharing with foreign liaison services. The Intelligence and Security Committee does not investigate individual cases – any complaints about alleged misconduct by, or on behalf of, the UK security and intelligence Agencies should be referred instead to the Investigatory Powers Tribunal, which can be contacted as follows:

Investigatory Powers Tribunal
P O Box 33220
London SW1H 9ZQ

The Investigatory Powers Tribunal (IPT) is an independent body set up under Section 65 of the Regulation of Investigatory Powers Act 2000 (RIPA). The IPT is made up of senior members of the judiciary and the legal profession.

2. The Committee's report on Rendition did however include four individual rendition cases to illustrate key developments in the awareness of the changing nature of the U.S rendition programme. One of these cases was that of Binyam Mohamed (Pages 33-34).

3. The Intelligence and Security Committee's Annual Report 2007-2008 was published on 5 March 2009. A statement confirming that the Committee was undertaking further inquiries into some of the issues related to its Rendition report can be found at paragraph 164. The 2007-2008 Annual Report is available on the Committee's website.

4. The Intelligence and Security Committee, which was established by the Intelligence Services Act 1994, provides parliamentary oversight of SIS, GCHQ and the Security Service. The Committee examines the expenditure, administration and policy of the three Agencies and has access to the range of Agency activities and to highly classified information. Its cross-party membership of nine is appointed from both Houses by the Prime Minister in consultation with the Leader of the Opposition. The Committee is required to report annually to the Prime Minister on its work. These Annual Reports are placed before Parliament by the Prime Minister, after the deletion of any sensitive material. The Committee also provides ad hoc reports to the Prime Minister on occasion.

5. The current membership of the Intelligence and Security Committee is:
- Dr. Kim Howells, MP (Chairman)
 - Rt. Hon. Michael Ancram QC, MP
 - Rt. Hon. Sir Menzies Campbell CBE QC, MP
 - Mr Ben Chapman, MP
 - Rt. Hon. Lord Foulkes of Cumnock
 - Rt. Hon. George Howarth, MP
 - Rt. Hon. Michael Mates, MP
 - Mr Richard Ottaway, MP
 - Ms Dari Taylor, MP

6. **The Committee do not discuss their work programme or evidence given to them other than through official reports or official press releases. The latest news can be found on the Committee's website www.cabinetoffice.gov.uk/intelligence.**

7. Copies of the Committee's Reports are available from TSO (The Stationery Office) or from the ISC website at www.cabinetoffice.gov.uk/intelligence.