



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt Hon David Cameron MP
Prime Minister
10 Downing Street
London
SW1A 2AA

10 March 2011

A handwritten signature in purple ink that reads "David Cameron".

Re: Consolidated Guidance to Intelligence Officers

In my letter of 6 October 2010 I made the point that the consolidated guidance to intelligence officers appears to be defective. Among other things, it does not address rendition. Despite appearances, it is also incomplete as regards unlawful detention. I am writing again because Sir Peter Ricketts' reply to me of 25 November 2010, on your behalf, claimed that the guidance covered unlawful detention "exhaustively".ⁱ It does not. I would be grateful if you could have this issue examined again.

Unlawful Detention

This is addressed in the annex to the guidance. However, it is barely touched upon in the guidance itself. The table at paragraph 11, which officers should use when considering whether to proceed with action in specified circumstances, makes almost no reference to unlawful detention.ⁱⁱ It leaves open the possibility that despite concluding, through application of the annex, that a detainee was being held incommunicado, officers could nonetheless proceed without even consulting Ministers.ⁱⁱⁱ This is inadequate. The amended table I enclosed with my 6 October letter (attached) would prevent this.

Intelligence and Security Committee Report

On 5 March 2010 the Intelligence and Security Committee sent its review of the then draft guidance to you, with the intention that this review would be

