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From the Foreign Secretary

24 April 2009

Our reference: 71057

Andrew Tyrie MP
House of Commons
London
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D. Tyrie,

Thank you for your letter of 11 March to the Prime Minister on the subject of a judge-led inquiry into rendition.

As you will know, in the light of recent concerns about allegations arising from the involvement of the security services and armed forces in detention activities, the Prime Minister announced a series of measures on 18 March. These commitments include to publish our guidance to intelligence officers and service personnel concerning the standards applied in relation to the detention and interviewing of detainees overseas. This will be published once the guidance has been consolidated and reviewed by the Intelligence and Security Committee (ISC). Sir Peter Gibson, the Intelligence Services Commissioner, has been asked to monitor compliance with the guidance and will report to the Prime Minister annually on this.

The Prime Minister has also asked the ISC to consider any new developments and relevant information since their 2005 report on detention and their 2007 report on rendition. This is so that we can ensure that our systems are robust and be certain that any lessons have been understood. The ISC is established by Parliament – not by the executive – as the appropriate body to provide Parliamentary oversight of the Intelligence and Security Agencies. This role is set out in the 1994 Intelligence Services Act. As Parliament concluded in 1994, the ISC rather than judge-led inquiries are the best way to combine accountability with the secrecy I know you appreciate is essential. A cursory reading of the 2005 and 2007 ISC reports show the depth and breath of their work.

Your letter discusses rendition as well as the separate issue of detention, and treatment therein, which prompted David Cameron's question. As you know, extensive work has taken place to put in the public domain full information on this issue.

Us,
David

DAVID MILIBAND