



**All Party Parliamentary Group on Extraordinary Rendition
House of Commons, London, SW1A 0AA**

Rt Hon Dominic Grieve QC MP
Chairman
Intelligence and Security Committee of Parliament
House of Commons
London
SW1A 0AA

21st July 2016

Re: The Crown Prosecution Service (CPS) statement: Operation Lydd

In their statement of the 9th June 2016, the Crown Prosecution Service confirmed what a number of us have been suggesting for the last ten years. There is a wide gap between previous Government statements, and what we now know.¹ This illustrates the need for an inquiry.

As I have raised with the Committee, in the past, the Intelligence and Security Committee should:

¹ For example, former Foreign Secretary Rt Hon Jack Straw's statement in 2005, that these assertions were a "conspiracy" and that "there simply is no truth in the claims that the United Kingdom has been involved in rendition full stop."



- i. require Permanent Secretaries of all relevant departments and agencies, including the Security Services, personally to certify that they have taken all reasonable steps to supply the Committee with all relevant information held by their respective departments, and that they have brought all matters relevant to the investigation to the Committee's attention;
- ii. create a high quality investigation panel, constituted - at least in part - from those with extensive professional experience of the security services, to examine documents and ensure that all relevant information has been provided;
- iii. examine the issue of detainee transfers in Iraq and Afghanistan, both whether anyone captured by the UK was handed over to the control of the US or another country, or transferred out of the country, and also whether the UK was involved in, or had knowledge of, subsequent mistreatment of these detainees;
- iv. while recognising the difficulties, take reasonable steps to obtain access to relevant information held by non-UK and non-government bodies;
- v. clarify that the ISC will decide whether, and in what form, information is published, subject to the Prime Minister's final determination, and;
- vi. publish a detailed explanation of their intended overall approach to the inquiry, addressing the above points.

Even with the above in place, the ISC's task will be difficult. The ISC will need all the help it can get to find a way forward and get to the truth. With this in mind, I would be grateful if you could confirm:



- i. whether the ISC plan to ask the CPS for the evidence gathered as part of Operation Lydd. To get obtain this information – irrespective of any potential criminal acts – will be vital in understanding what when wrong and by whom.
- ii. that the ISC will seek a detailed understanding from the CPS, through submissions to the Committee, of the reasons for not bringing any prosecutions after Operation Lydd. This may need to be conducted in a closed session.
- iii. whether the ISC, in accordance with its remit to provide oversight of the intelligence services, will investigate whether the criminal law in this area is sufficiently robust, given the failure to prosecute individuals under Operation Lydd, Operation Hinton and Operation Iden.

Provision of information by the CPS to other bodies is not an unprecedented step. Files are often passed to prosecution authorities in other countries on request. The provision of the Operation Lydd material would appear to be essential.

Responsibility for the facilitation of rendition should not have been allowed to fall through the cracks. That it has done so and for a decade is, frankly, a scandal. It is now crucial to find out who authorised these operations and how.

I will put this letter, together with your reply, in the public domain.

ANDREW TYRIE