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Tuesday 6 July 2010



A statement given by the Prime Minister to the House of Commons on the treatment of terror suspects on 6 July 2010.

Read the statement

[Check against delivery]

Mr. Speaker, I'm sure that the whole House will wish to join me in paying tribute to the Royal Marine who died on Thursday, the soldier from The Royal Dragoon Guards who died yesterday, and the soldier from 1st Battalion, The Mercian Regiment who died from wounds sustained in Afghanistan at hospital in Birmingham yesterday.

We should constantly remember the services and sacrifices made on our behalf by our armed forces and their families.

With permission, Mr Speaker, I would like to make a Statement on our intelligence services and allegations made about the treatment of detainees.

For the past few years, the reputation of our security services has been overshadowed by allegations about their involvement in the treatment of detainees held by other countries.

Some of these detainees allege they were mistreated by those countries.

Other allegations have also been made about the UK's involvement in the rendition of detainees in the aftermath of 9/11.

These allegations are not proven.

But today, we do face a totally unsatisfactory situation.

Our services are paralysed by paperwork as they try to defend themselves in lengthy court cases with uncertain rules.

Our reputation as a country that believes in human rights, justice, fairness and the rule of law – indeed for much of what the Services exist to protect – risks being tarnished.

Public confidence is being eroded with people doubting the ability of our Services to protect us and questioning the rules under which they operate. And terrorists and extremists are able to exploit these allegations for their own propaganda.

Mr Speaker, myself, the Deputy Prime Minister, the coalition government – we all believe it is time to clear this matter up once and for all.

So today I want to set out how we will deal with the problems of the past how we will sort out the future and, crucially, how we can make sure the security services can get on, do their job and keep us safe.

But first, let's be clear about the work they do.

I believe we have the finest intelligence services in the world.

In the past, it was the intelligence services that cracked the secrets of Enigma and helped deliver victory in World War II. They recruited Russian spies like Gordievsky and Mitrokin and kept Britain safe in the Cold War. And they helped disrupt the Provisional IRA in the 1980s and 1990s.

Today, these tremendous acts of bravery continue. Every day intelligence officers track terrorist threats and disrupt plots. They prevent the world's most dangerous weapons falling into the hands of the world's most dangerous states. And they give our forces in Afghanistan the information they need to take key decisions.

They do this without any public – or often even private – recognition, and despite the massive



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personal risks to their safety.

We should never forget that some officers have died for this country. Their names are not known. Their loved ones must mourn in secret. The service they have given to our country is not publicly recognised.

We owe them – and every intelligence officer in our country – an enormous debt of gratitude.

And, as Minister for the Intelligence Services, I am determined to do everything possible to help them get on with the job they trained to do – and we desperately need them to do.

However, to do that, we need to resolve the issues of the past.

Mr. Speaker, while there is no evidence that any British officer was directly engaged in torture in the aftermath of 9/11 there are questions over the degree to which British officers were working with foreign security services who were treating detainees in ways they should not have done.

About a dozen cases have been brought in court about the actions of UK personnel including, for example, that since 9/11 they may have witnessed mistreatment such as the use of hoods and shackles.

This has led to accusations that Britain may have been complicit in the mistreatment of detainees.

The longer these questions remain unanswered, the bigger the stain on our reputation as a country that believes in freedom, fairness and human rights grows.

That's why, Mr. Speaker, myself and the Deputy Prime Minister are determined to get to the bottom of what happened.

The intelligence services also keen publicly to establish their principles and integrity.

So we will have a single, authoritative examination of all these issues. We can't start that inquiry while criminal investigations are ongoing. And it's not feasible to start it when there so many civil law suits that remain unresolved.

So we want to do everything we can to help that process along. That's why we are committed to mediation with those who have brought civil claims about their detention in Guantanamo. And wherever appropriate, we will offer compensation.

As soon as we've made enough progress, an independent inquiry will be held.

It will look at whether Britain was implicated in the improper treatment of detainees held by other countries that may have occurred in the aftermath of 9/11. And if we were, what went wrong, and what do we need to do to learn the lessons.

So the inquiry will need to look at our security departments and intelligence services.

Should we have realised sooner that what foreign agencies were doing may have been unacceptable and that we shouldn't be associated with it? Did we allow our own high standards to slip – either systemically or individually? Did we give clear enough guidance to officers in the field?

Was information flowing quickly enough from officers on the ground to the intelligence services and then on to Ministers – so we knew what was going on and what our response should be?

Mr. Speaker, we should not be naïve or stary-eyed about the circumstances our security services were working under in the immediate aftermath of 9/11.

There was a real danger that terrorist could get their hands on a dirty bomb, chemical and biological weapons – or even worse. Threat levels had been transformed. The urgency with which we needed to protect our citizens was pressing.

But let me state clearly, we need to know the answers. If things went wrong, why? And what we must do to uphold the standards that people expect.

Mr. Speaker, I have asked the Rt. Hon. Sir Peter Gibson, former senior Court of Appeal judge and currently the statutory Commissioner for the Intelligence Services, to lead the inquiry.

The three member inquiry team will also include Dame Janet Paraskeva, head of the Civil Service Commissioners, and Peter Riddell, former journalist and senior fellow at the Institute for Government.

I have today made public a letter to the Inquiry chair setting out what the Inquiry will cover, so Sir Peter Gibson can finalise the details with us before it starts. We hope it will start before the end of this year and will report within a year.

This inquiry can not and will not be costly or open-ended – that serves neither the interest of justice nor national security.

Neither can it be a full Public Inquiry. Of course, some of its hearings will be in public. However, we must be realistic. Inquiries into our intelligence services are not like other inquiries. There is some information that must be kept secret – information about sources, capabilities and partnerships.

Let's be frank, it is not possible to have a full public inquiry into something that is meant to be secret. So any intelligence material provided to the Inquiry panel will not be made public and nor will intelligence officers be asked to give evidence in public.

But that does not mean we cannot get to the bottom of what happened.

This Inquiry will be able to look at all the information relevant to its work, including secret information.

It will have access to all relevant government papers – including those held by the intelligence services.

And it will be able to take evidence – in public – including from those who have brought accusations against the Government and their representatives, and interest groups.

Importantly, Mr Speaker, the head of the civil service and the intelligence services will ensure the Inquiry gets the full co-operation it needs from departments and agencies.

So I am confident the Inquiry will reach an authoritative view on the actions of the state and our services – and proper recommendations for the future.

Mr. Speaker, just as we are determined to resolve the problems of the past so are we determined to have greater clarity about what is and what is not acceptable in the future.

That's why today, we are also publishing the guidance issued to intelligence and military personnel on how to deal with detainees held by other countries. The previous Government had promised to do this, but didn't. We are.

It makes clear that:

One – our Services must never take any action where they know or believe that torture will occur.

Two – if they become aware of abuses by other countries they should report it to the UK government so we can try to stop it.

And three – in cases where our Services believe that there may be information crucial to saving lives but where there may also be a serious risk of mistreatment, it is for Ministers – rightly – to determine the action, if any, our Services should take.

My Rt. Honourable colleagues – the Foreign, Home and Defence Secretaries – have also today laid in the House further information about their role in these difficult cases.

Mr. Speaker, there's something else we have to address – and that is how court cases deal with intelligence information.

Today, there are serious problems. The services can't disclose anything that's secret in order to defend themselves in court with confidence that it will be protected.

There are also doubts about our ability to protect the secrets of their allies and stop them from ending up in the public domain.

This has strained some of our oldest and most important security partnerships in the world – in particular that with America.

Honourable Members should not underestimate the vast two-way benefit this US-UK relationship has brought in disrupting terrorist plots and saving lives. So we need to deal with these problems.

We hope the Supreme Court will provide further clarity on the underlying law within the next few months.

And next year, we will publish a Green Paper which will set out our initial proposals for how intelligence is treated in the full range of judicial proceedings, including addressing the concerns of our allies.

In this process the Government will seek the views of the cross-party Intelligence and Security Committee.

And I can announce that I have appointed the Rt. Hon Member for Kensington as the Chair of that Committee for the duration of this Parliament.

Mr. Speaker, as we meet in the relative safety of this House today, let us not forget this. As I speak, al-Qaeda operatives in Yemen are meeting in secret to plot attacks against us terrorists are preparing to attack coalition forces in Afghanistan the Real IRA are planning

their next strike against security forces in Northern Ireland and rogue regimes are still trying to acquire nuclear weapons.

At the same time men and women, young and old, all of them loyal and dedicated, are getting ready to work again around the world.

They will be meeting sources, translating documents, listening in on conversations, replaying CCTV footage, installing cameras, following terrorists all to keep us safe from these threats.

We cannot have their work impeded by these allegations.

We need to restore Britain's moral leadership in the world.

That's why we are determined to clear things up.

And I commend this statement to the House.

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No. 08-15693 archived on September 13, 2010