

QUAKER CONCERN FOR THE ABOLITION OF TORTURE (Q-CAT)

Briefing 11

May 2010

UK Government commitment to judicial inquiry into complicity in torture, rendition etc.

On May 20th, almost immediately on his appointment as Foreign Secretary, William Hague ordered an independent judicial inquiry into British policy and practice over complicity in torture, rendition and related subjects. This was exactly what he had been demanding from his predecessor David Miliband whose policy had been to block all attempts through Parliament and the courts to bring to account anyone who had contravened international law in the so-called War on Terror since 2001. Amnesty international followed up by insisting that this inquiry must be public and comprehensive, addressing all the points raised in its Briefing EUR 45/001/2010 which was featured in Q-CAT Briefing 10.

No further information has been forthcoming and this may be because of the complexity of what is being ordered. Some of the cases are already *sub iudice* which means that they cannot be investigated until this process is ended and this also applies to the MI5 officer who is the subject of a police investigation. Nevertheless it is important to keep up the pressure until a judge has been appointed to head the inquiry and its terms of reference published.

Q-CAT has written to William Hague commending his prompt action as follows:

"We welcome your prompt order for an independent judicial inquiry into the accumulating evidence of complicity by British secret service personnel in the torture of UK residents and others in recent years. We have been dismayed by the growing disparity between this news and the observation of international law which has always been official government policy. We welcome the unconditional commitment of the Coalition Government to this in the document Freedom, Fairness and Responsibility. We trust that the terms of reference for the inquiry will enable it to investigate the sources of policy changes and hold to account those responsible at the highest levels.

"For over 30 years British Quakers have witnessed against torture, believing it to be the ultimate denial of our common humanity and a corrupting element in international relations. We never expected it to corrupt our own state security system as it appears to have done since 2001, contributing to a wider breakdown in truth and integrity in public life.

"We look forward to hearing of positive outcomes from your initiative in this sensitive field and once again commend you for addressing it so early in your term as Foreign Secretary."

It would be good if the network of Friends on our mailing list could write to their MPs referring to this letter and asking for their support in pressing for such an inquiry. This will be particularly valuable where the MP is a member of the Conservative or Liberal Democratic parties. Let us know of any replies you receive. We hope this will lead to a useful dialogue with the new Government which starts free of the compromising record of its predecessor. It remains to be seen whether this stance can be maintained against the likely wishes of the security services and the Whitehall establishment. The influence of Q-CAT will be strengthened by the number of positive local contacts with MPs that can be made and we hope this will also lead to a widening of our network of representatives in Local Meetings.

UK Intelligence and Security Committee

At the same time Q-CAT wrote to the Prime Minister calling for a thorough review of the Intelligence and Security Committee, as recommended in its own 2009 Report (published in March 2010) and referred to in Q-CAT's March Briefing (No.9). The three specific points made were: that the committee should be moved out of the Cabinet Office, preferably to the Ministry of Justice or another department not directly involved with the security services; that its review of the new draft guidelines for interrogating terror suspects should be published immediately, as promised but not delivered by the previous Prime Minister; and that its budget should be set as a designated percentage of the Single Intelligence Account to enable it to fulfill its role properly.

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