



Ministry of
JUSTICE

**The Right Honourable
Kenneth Clarke QC MP**
Lord Chancellor and
Secretary of State for Justice
102 Petty France
London SW1H 9AJ

T 020 3334 3555
F 020 3334 3669
E general.queries@justice.gsi.gov.uk
www.justice.gov.uk

Andrew Tyrie MP
Chairman, All Party Parliamentary Group on
Extraordinary Rendition
House of Commons
London SW1A 0AA

June 2011

Dear Andrew,

DETAINEE INQUIRY

Thank you for your letter of 28 March to the Prime Minister, asking for his confirmation that the Detainee Inquiry will be able to address all detainee transfers in Iraq and Afghanistan, including those after 2003. The Prime Minister has asked me to respond to correspondence relating to the Inquiry. I apologise for the delay in doing so.

I understand that you have now received a reply to your question about the transfer of prisoners in theatre from Sir Peter Gibson and I am sorry that you are disappointed with the answer. The Government does not intend to circumscribe the Inquiry's discretion. In the Prime Minister's letter to Sir Peter Gibson of 6 July 2010 the purpose of the Inquiry is set out: to examine whether UK government personnel were involved in or aware of improper treatment of detainees held by other governments in counter-terrorism operations. Accordingly, the "particular focus" of the Inquiry must be "the immediate aftermath of the September 2001 attacks and particularly cases involving the detention of UK nationals and residents in Guantanamo Bay".

The Inquiry is clear that military detention operations, including where they involve the transfer of detainees 'in country', will not be one of its key themes. Allegations relating to military detention operations have been and are being examined by other investigations and inquiries. Once launched the Detainee Inquiry will look, however, at whether UK personnel (military or civilian) were aware of, or involved in, the rendition of detainees from one country to another

[Handwritten signature]

KENNETH CLARKE