ANDREW MARR:
Parliament’s Intelligence and Security Committee keeps an eye on the secret services and now has the job of finding out what MI5 and MI6 knew about the rendition and torture of terror suspects by their American counterparts and whether they were complicit. Will its inquiry finally get to the truth, however uncomfortable? I’m joined now by its chairman, the Conservative former foreign secretary Sir Malcolm Rifkind. Sir Malcolm, welcome onto the show.

SIR MALCOLM RIFKIND:
Thank you very much.

ANDREW MARR:
Now I don’t know if you heard, Sir Alan … Sir Alan Johnson … Alan Johnson was saying that, if asked, Tony Blair, Jack Straw must turn up to your committee. Are you going to ask them to turn up?

SIR MALCOLM RIFKIND:
Well we will take evidence both from ministers and from former ministers wherever they may have a contribution to make.

**ANDREW MARR:**
As chair of the committee and former foreign secretary, do you regard waterboarding as torture?

**SIR MALCOLM RIFKIND:**
Of course it’s torture. It can’t be anything else.

**ANDREW MARR:**
Fine. So what do you say to those who say that the committee is basically staffed by the great and the good, this is a cross-party establishment committee meeting in private? There’s been lots of, as you’ve probably seen, disobligeing things said about the committee in the papers this morning by Henry Porter and others. Have you got the will and the determination to embarrass people if that’s necessary?

**SIR MALCOLM RIFKIND:**
All the criticisms of the committee are about what happened seven, eight, nine years ago. And these criticisms are justified because at that time the committee did not the power other than to ask intelligence agencies could we please have some of your papers, and the intelligence agencies had the last word. It has now completely transformed. The intelligence agencies now are under a legal obligation. They would be breaking the law if they do not provide us with the papers we require. In addition to that, our staff now have the power and have used the power to go into the headquarters of MI6, MI5, GCHQ and actually look at the files themselves.

**ANDREW MARR:**
Can I turn to this notorious or famous senate committee report at the moment …

**SIR MALCOLM RIFKIND:**
Yes.
ANDREW MARR:
… because we seem to be living in an Alice in Wonderland world where British officials and ministers asked the Americans to black out bits of this report. They duly did so and the report has come back now so blacked out, the ministers in Britain can’t understand parts of it. Is your committee able to see the entire report and, if not, are you going to get it uncensored?

SIR MALCOLM RIFKIND:
Well we are going to request the Americans … We cannot instruct the United States government, but we are going to request them not to see the whole redacted stuff – because a lot of it’s got nothing to do with the United Kingdom – but any references there may be to the United Kingdom and United Kingdom’s possible involvement in these matters, if that was redacted in the public report, yes we want to see that. In the United Kingdom anything can only be redacted on national security grounds and if the prime minister tried to redact one of our reports simply to prevent political embarrassment, we would refuse and we’d make a huge public fuss about it. Now we hope the same principle applies in America. That’s what we have to test.

ANDREW MARR:
So do you think you’ll be able to get to the root of things like the abduction and sending to torture in Libya of particular individuals named in the papers today?

SIR MALCOLM RIFKIND:
Yes the timing of when we can start that, we are constrained and it’s very frustrating. It’s with the Crown Prosecution Service at the moment, so we have to wait – as would any public inquiry – into the decision as to whether to bring criminal charges against individuals in relation to that. Once that has been addressed, our top priority – because it’s never been investigated up till now – is the allegations … the most serious allegation against the United Kingdom in this area is actually the Libyan one …

ANDREW MARR:
Yes.

SIR MALCOLM RIFKIND:
… because that is not just did we know, but the allegation is that people in MI6 were actively involved with the United States in getting these two people rendered back to Gaddafi’s prisons.

**ANDREW MARR:**
And if British ministers were involved knowingly in the abduction and sending of people (including a pregnant woman) back to Gaddafi’s prison, do you think they should be prosecuted?

**SIR MALCOLM RIFKIND:**
Well, first of all, if the evidence … if the conclusion of the evidence points in that direction, we will say that, we will publish that without fear or favour – no question about it. Questions of prosecution are not for our committee. That is for the Crown Prosecution Service in the light of any evidence that may be obtained.

**ANDREW MARR:**
Lord West has suggested that although British agents were not involved in torture themselves, they were present while torture was being conducted and of course we have been using as a country information got from people who are tortured – whether it’s reliable or not. Will your committee lift the lid properly on all of that?

**SIR MALCOLM RIFKIND:**
Yes it will because if Lord West … if what is attributed to him is correct, if British intelligence officials were present when people were being tortured, then they were complicit in that torture. That would be quite against all the standards of this country. It would be something that ought to be brought into the public domain. So we have to obviously have the evidence to support that, but if that is what Lord West is saying – he was a security minister …

**ANDREW MARR:**
*(over)* Indeed.

**SIR MALCOLM RIFKIND:**
… in the government at the time, so clearly he will be someone whose views we will
wish to cross-examine very carefully.

**ANDREW MARR:**  
And the same would be true, to be absolutely clear, for Jack Straw and Tony Blair? You will be interviewing them and on oath?

**SIR MALCOLM RIFKIND:**  
Well we don’t take evidence on oath. We’re not a court of law in that sense. But certainly we would request any former minister or serving minister who has a contribution to make to our inquiries to give evidence. If they refuse to do so, that itself would imply they had something to hide. So we’ll have to wait and see what happens.

**ANDREW MARR:**  
It would be a little bit odd if you didn’t want to talk to them and indeed to David Miliband given their positions at the time.

**SIR MALCOLM RIFKIND:**  
As I say, at the moment we have … We’ve had for the last two months five our staff working full-time going through tens of thousands of documents. Once that process has been complete, then we will decide who in the intelligence agencies, who from the government or former governments or anyone else needs to be subject to our evidence sessions. That will be the time to do that. And if there’s evidence that they knew or were involved, then of course they would be priority figures for our investigation.

**ANDREW MARR:**  
Because this goes to the heart of the suspicion from Henry Porter and other journalists and so forth that essentially it’s all a bit establishment, you don’t really want to embarrass people and hold them to account.

**SIR MALCOLM RIFKIND:**  
We do want … If people deserve to be embarrassed …
ANDREW MARR:
(over) You’re going to embarrass them.

SIR MALCOLM RIFKIND:
… it’s our job to embarrass them. Look yes of course some of us have been in government ourselves. We’re not wanting to be in future governments – this is not our role. We are an independent parliamentary investigating committee. We act under an Act of Parliament. We have …

ANDREW MARR:
(over) No one can offer you anything or threaten you with anything?

SIR MALCOLM RIFKIND:
No they can’t. We have a statutory obligation to carry out this task without fear or favour, and if our conclusions are that either ministers (serving ministers or former ministers) or MI6 or MI5 or anyone else – were complicit in torture, we will say so and we will indicate the evidence that has brought us to that conclusion.

ANDREW MARR:
We have a bit of a reputation in this country for inquiries running on and on and on. I’m thinking of Chilcot, what happened to the Gibson inquiry. Now we know that your inquiry can’t be completed before the General Election. Will it be completed next year?

SIR MALCOLM RIFKIND:
I would very much hope so. I say hope so for one obvious reason, a point I made a few moments ago. That the most serious allegations, the Libyan allegations are with the Crown Prosecution Service, so we cannot start taking evidence on that by law. We are just not permitted to do so. Nor would a judicial inquiry or any other court of law until that matter is concluded. Now we hope that will be concluded in the next two or three months. That’s not in our hands.

ANDREW MARR:
We’ll all be watching with avid interest. Sir Malcolm, thank you very much indeed for joining us this morning.
SIR MALCOLM RIFKIND:

Thank you.

INTERVIEW ENDS