



## THE TREASURY SOLICITOR

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### Cabinet Office and Central Advisory Division

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Please quote:

Your reference:

Date: 28 August 2003

Dear Martin

#### **RE: STATUS OF EVIDENCE TO THE INTELLIGENCE AND SECURITY COMMITTEE**

It may be helpful to the Inquiry to have some amplification of the way that the Intelligence and Security Committee hears evidence in the course of their work carried out under the authority of the Intelligence Services Act 1994. In Mr Dingemans's questioning of the Rt Hon Ann Taylor MP (para 191 lines 4-7) there could be read an implication that Government officials would brief the ISC prior to evidence given by independent witnesses, which is not the case.

The ISC can request information from the Government and other witnesses prior to an evidence hearing. In the case of the Government, the ISC asks for memorandum to be prepared and then the Committee takes oral evidence. In the case of Dr Kelly the ISC did not request any information prior to the hearing but asked him to give an opening statement outlining his position and access to intelligence material.

In the course of their enquiries, it is not unusual for the ISC to call back witnesses to clarify points they have made or where there are differences to be reconciled. The points raised by Mr Dingemans might well, therefore, have been points that would have been pursued by the ISC had it not been for the untimely death of Dr Kelly.

We have cleared this note with the Clerk to the Intelligence and Security Committee.

R.P. R JEFFREYS

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INVESTOR IN PEOPLE