

Controlling Intelligence

Getting the Intelligence You
Need

Keeping the Agencies Honest

Some Questions

- Who are the customers for intelligence?
- How are the agencies made accountable to them?
- Who interprets strategic intelligence, and how can that interpretation be kept objective?
- How can the agencies be made transparent and accountable enough to earn the confidence of the government, the legislature and the public?

Getting the Intelligence You Need

'All the business of war, and indeed all the business of life, is to endeavour to find out what you don't know by what you do – that's what I called 'guessing what was at the other side of the hill'

Wellington

What's it for?

Rumsfeld's Trio

- Knowns: intelligence can increase your confidence in what you think you know
- Known unknowns: intelligence can help you guess well
- Unknown unknowns: properly coordinated vigilance by intelligence collectors is your only way to identify these before they bite you

The Intelligence Cycle



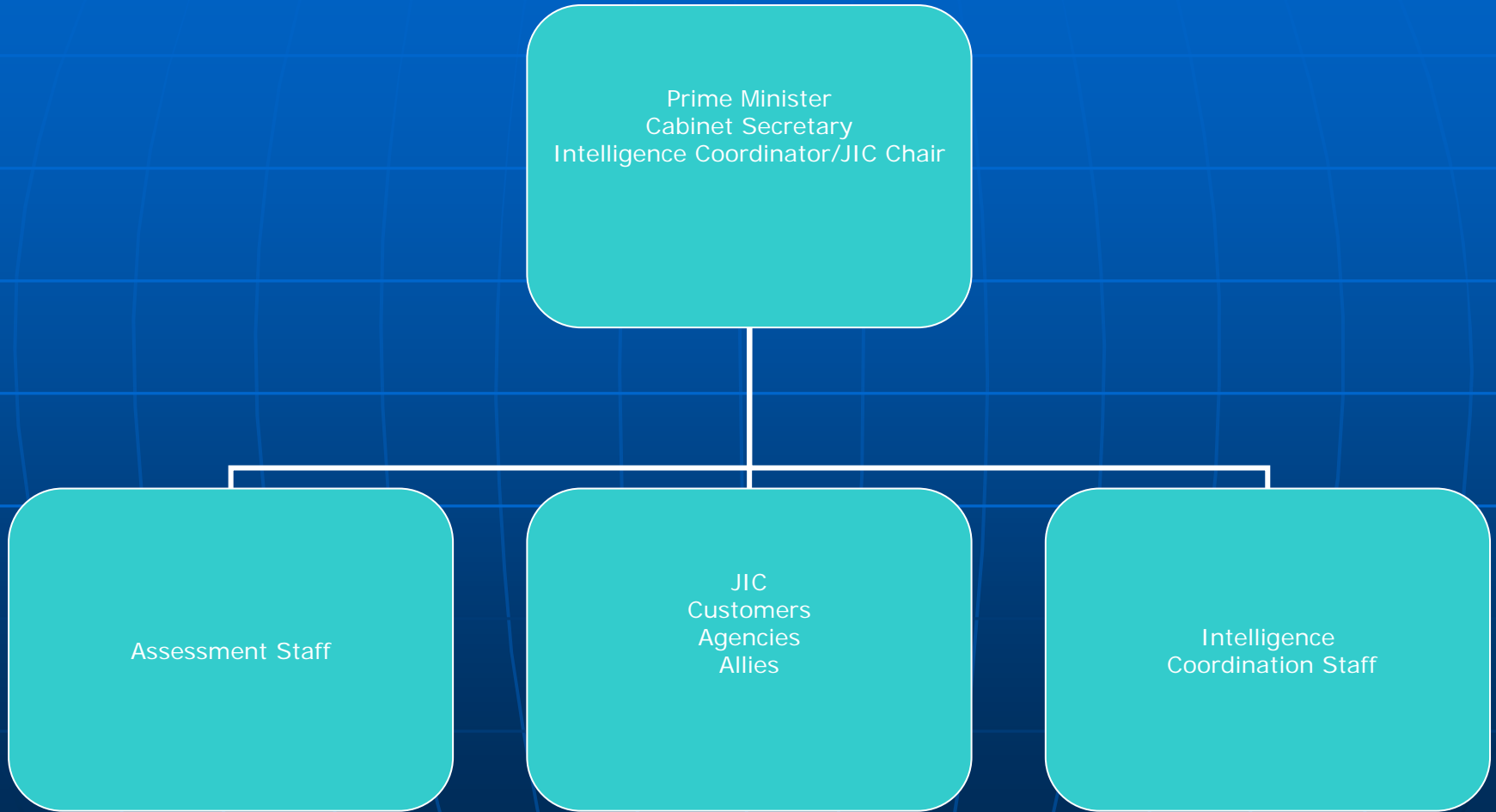
JIC

Prime Minister
Cabinet Secretary
Intelligence Coordinator/JIC Chair

Assessment Staff

JIC
Customers
Agencies
Allies

Intelligence
Coordination Staff



Getting told the truth

- Keep assessment and policy making apart
- Don't allow competitive assessment, still less reward it
- Don't shoot the messenger
- Give the right message from the top ('I can forgive anything but the late delivery of bad news')
- The best processes in the world won't keep you out of trouble if you short circuit them in a crisis

Where do things go wrong? 3 case studies

- Afghanistan 1988; my enemy's enemy isn't always my friend
- Kosovo 1997; intelligence too remote from decision making
- Iraq 2003; Intelligence too close to decision making?

Keeping the Agencies Honest

'If we had done for ourselves
what we have done for Italy, we
should be great rascals'
(Cavour)

The risks

- Government exploits agencies for partisan purposes
- Agencies develop own agenda
- Agencies can't control their people
- Human rights and civil liberties prejudiced
- Agencies not fit for purpose – not accountable

The Controls

- Law
- Executive Control
- Independent Oversight
- Civil Society
- Culture
- Lightning Conductors

Law

- Legal sanction needed for anything which would otherwise be a crime (theft, bribery, eavesdropping, trespass)
- Intelligence Services Act, Regulation of Investigative Powers Act
- Limit purposes for which Intelligence can be collected (National Security, Prevention of Serious Crime, Economic Well Being)

Executive Control

- Interception only with warrant
- All operations carrying political risk need authorisation from outside the agency, usually by a Minister

Independent Oversight: UK

- Judicial: a Commissioner for each Act
- Parliamentary: Intelligence and Security Committee

Judicial Oversight

- Commissioners report regularly
- Access to all agency records
- Reports published
- Keep both agencies and politicians honest – and careful

Parliamentary Oversight

- Intelligence and Security Committee appointed by Prime Minister, from all major parties and both Houses
- Operates within 'ring of secrecy'
- Gains access, loses some credibility; should it be a Select Committee, answerable to Parliament?

Civil Society

- Freedom of Information; don't let Agencies protect non-sensitive data
- The press; how much access?
- NGOs

Culture

- How do we stop the agencies becoming a state within a state?
- Their own staff are either the problem or the solution
- Leadership; communication, values, performance management
- Non-executive directors
- Secondments in and out
- Access to 'lightning conductors'

Lightning Conductors

- Cabinet Secretary (for Agency chiefs)
- Staff Commissioner (for staff)
- Tribunals (for public – and staff)
- Default Option: Whistleblowing

Questions?