



Binyam Mohammad High Court Judgement (04/02/2009)

The Foreign & Commonwealth Office issued a statement on the Binyam Mohammad High Court Judgement, 4 February 2009.



Read the statement

This case was originally brought on the question of whether Binyam Mohamed's US legal defence team should have access to US material relating to his treatment in detention. The British Government pressed for that to happen. In October 2008, in part as a result of our representations, the US authorities decided to provide their material in full to his defence lawyers.

We have sought the release of Binyam Mohamed from Guantanamo and his return to the UK. We continue to discuss this intensively with the US authorities.

UK policy on torture is clear. We unreservedly condemn it. We never condone it. We always take allegations relating to it seriously. The issue of potential criminal liability has been raised earlier in this case. The Home Secretary has already referred the facts of the case to the Attorney General.

Intelligence relationships, especially with the United States, are vital to Britain's national security. They are based on an assumption of trust. Matters regarded as secret by one government should be treated as secret by others. For it to be called into question would pose a serious and real risk to continuing close intelligence sharing with any government. As the Foreign Secretary expressly affirmed in his PII Certificate, it was ultimately a matter for the Court to balance the Foreign Secretary's appreciation of the risks to national security and the interests of publication of the material in question. They decided in favour of national security - in circumstances in which there was no longer any continuing issue of justice to the claimant, whose legal team now have sight of all the material in question.

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