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Senior UK Judges Demand Full Probe After MI5 Misled Court

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A group of the UK's most senior judges has ordered an independent investigation into how the country's domestic intelligence agency, MI5, misled the courts in a case involving one of its undercover agents accused of serious abuse. The ruling has raised serious questions about the transparency and accountability of the Security Service.

At the center of the controversy is a covert human intelligence source (CHIS), referred to as "X," who allegedly abused two women while working as an MI5 agent. One of the women, known publicly as "Beth," claims he terrorized her with a machete and used his role in MI5 to instill fear and control. The BBC, which brought many of these details to light, was blocked in 2022 from publicly naming the agent after the UK government secured an injunction.

During the legal battle over that injunction, MI5 presented what has now been revealed as false evidence. A senior MI5 officer, “Witness A,” told the court that MI5 had never confirmed the agent’s identity to the BBC. But this was later admitted to be untrue by both MI5 and the UK’s attorney-general.

This week, the High Court, led by Lady Chief Justice Sue Carr, sharply criticized MI5 for misleading the court, not just in open hearings but also in closed national security proceedings. Judges said that even the special advocates representing the BBC behind closed doors were misled. The court described MI5’s previous internal reviews as “procedurally deficient” and unreliable, stating that the agency’s explanations were incomplete and unsatisfactory.

As a result, the judges have appointed Sir Brian Leveson, the Investigatory Powers Commissioner, to conduct a new, robust investigation into how the misinformation was allowed to be presented. They also left open the possibility of future contempt of court proceedings against MI5 officials, depending on the findings.

The case touches on a sensitive area where intelligence operations and human rights intersect. MI5 has long maintained a “neither confirm nor deny” (NCND) policy regarding its agents, but the judges ruled this position became untenable once false evidence had been introduced.

In a rare public statement, MI5 Director-General Sir Ken McCallum issued a full apology: “We take our duty to provide truthful, accurate, and complete information with the utmost seriousness. Resolving this matter to the court’s satisfaction is of the highest priority.”

He added that MI5 is committed to learning from its mistakes and implementing necessary changes to ensure such a breach of trust does not happen again.

The investigation now ordered may bring long-overdue answers not just for the court, but for the women at the heart of the case and the public that expects truth and accountability from those tasked with national security.