

# Corruption of the Investigatory Powers Tribunal

Dr. Katherine Horton, 18<sup>th</sup> April 2017

All complaints about the British intelligence services have to be submitted to the Investigatory Powers Tribunal (IPT). It has long been thought among victims of the intelligence agencies that the IPT is not fit for purpose as it is extremely heavily biased towards the intelligence agencies and simply rejects all complaints from victims in a highly opaque process that is unlike any other court process in the UK.

Using systems analysis, it can be shown that an egregious bias against complainants is indeed present at the IPT that is indicative of it being a corrupted tribunal. Systems analysis proves that one has to *expect* a large number of genuine victims to complain rightfully about the intelligence agencies who should receive a remedy and compensation through the IPT, which is not presently the case.

The first step is to consider how large an organisation like MI5 must be to “keep an eye” on what is going on in the country. It follows that it must be at least the size of British Telecom (BT) taking into account MI5's network of informants, handlers etc. That is because national telecom providers and national surveillance providers have similar coverage and therefore need roughly a similar sized workforce to maintain their service.

Systems analysis tells us that complex human systems of comparable size produce roughly the same number of faults and mistakes, unless there is a special mechanism that reduces these naturally occurring errors. In human systems, such errors are handled internally by the organisation or are flagged through complaints from outside.

One can therefore determine how many complaints about MI5 to expect by adding up how many complaints there are about BT. According to Ofcom, the telecommunications regulator in the UK, there are about 300 complaints per day<sup>1</sup> for all telecommunications providers together. Since BT doesn't have a monopoly any more, the total sum of all telecommunications providers is the same as a single monopoly provider in the olden days. Note that Ofcom receives only those complaints that BT & Co. didn't manage to resolve directly with their customers.

In other words, in 300 cases per day, BT & Co. screw up so royally that their customers go and complain to the regulator. This is “normal” (albeit annoying) for such large systems. Things simply go wrong, employees and managers behave like idiots etc. Keep in mind that BT & Co. typically do not work in targeted sabotage (although it might seem like that at times). So, if they screw up, clients just don't have broadband for a while, nothing worse happens. Now compare this system to MI5.

Systems analysis tells us that as an equally sized system, we expect MI5 to produce roughly the same order of magnitude of errors or problems. This means that for MI5, being roughly the size of

---

1 [www.theregister.co.uk/2016/09/28/bt\\_tops\\_ofcoms\\_naughty\\_list/](http://www.theregister.co.uk/2016/09/28/bt_tops_ofcoms_naughty_list/)

1 BT & Co., **one would expect 300 serious complaints per day**, i.e. that is the number that MI5  
2 would not be able to resolve with their “customers” (or victims, rather). So, one would **expect**  
3 **about 109'500 serious complaints about MI5 per year that would have to be resolved by the**  
4 **courts!**

5 Any complaint about the British intelligence services has to go via the Investigatory Powers  
6 Tribunal (IPT). They don't publish judgements in the cases where they decide to reject the  
7 complaint. They only publish those judgements where the complainant was given right. (Seriously,  
8 that is the case!) Can you guess how many times that was?

9 According to the IPT website<sup>2</sup>:

| 10 | Year | complaints received | decided in favour of complainant |
|----|------|---------------------|----------------------------------|
| 11 | 2010 | 95                  | -                                |
| 12 | 2011 | 180                 | 2                                |
| 13 | 2012 | 168                 | 0                                |
| 14 | 2013 | 205                 | 0                                |
| 15 | 2014 | 215                 | 0                                |
| 16 | 2015 | 251                 | 8                                |

17 Over the period of 2010 – 2015 there were therefore 1114 cases and 10 were decided in the  
18 complainant's favour. **So, the complainants (i.e. potential victims) were turned away in 99.1%**  
19 **of the cases without the Tribunal even giving them as much as an argued reason.**

20 However, systems analysis tells us to expect about 109'500 cases of serious problems to arise with  
21 MI5 per year, so 657'000 in the above 6 year period. If only 1114 made it to court (0.2%) then it  
22 means that **99.8% of serious problems don't ever make it to the Tribunal and out of those**  
23 **99.1% are knocked down by the Tribunal itself.** So this means that we would expect that there  
24 are at least 657'000 people who were seriously affected by MI5 (with some maybe not even  
25 realising it is due to the Secret Service), and out of those only 10 (0.0015%) were given right by  
26 the IPT<sup>3</sup>. This clearly shows that the IPT is not a normally operating tribunal but is in fact highly  
27 corrupted in its functioning.

28 Are those 656'995 people from that 6 year period all crazy? No, they are all perfectly normal but  
29 suffer egregious injustices.

30 **The crazy people are those who think that the Investigatory Powers Tribunal is worth more**  
31 **than a joke in a Christmas cracker.**

---

2 [www.ipt-uk.com/content\\_asp?id=30](http://www.ipt-uk.com/content_asp?id=30)

3 In contrast, the rape conviction rate is about 5%, which means you are 3333 times more likely to get redress if you get screwed than if you get screwed by MI5. Therefore, it seems almost justified to call them uber-rapists.