



# Revealed: MI6 ‘Misled’ Two Inquiries Into Arrest of Lee Rigby’s Killer

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The town of Kizingitini on Paté island, just off Kenya’s north-eastern coast, is an otherwise unremarkable fishing village surrounded by mangroves. As a gateway to the Horn of Africa, the island inhabits an historically strategic location, with Arab and Portuguese merchants taking turns to settle the island.

In recent history, the island has enjoyed relative peace and, in a nod to its lush surroundings and history, its locals sing: “None who go to Paté returns; what returns is wailing”.

In November 2010, the island unexpectedly received international attention when British terror suspect, Michael Adebolajo, and five others were arrested there by Kenyan police. They were allegedly planning to cross into Somalia to join the al-Shabaab militant group responsible for numerous terrorist attacks in Somalia and Kenya.

It was one stage of a journey that would end with the murder of a British soldier on the streets of London and a parliamentary investigation into the handling of the case by the UK’s domestic security service MI5 and the Secret Intelligence Service (SIS), known as MI6.

The British government denied prior knowledge of - or involvement in - Adebolajo's arrest and interrogation, which he claimed was [abusive](#). However, defying expectations, and under controversial circumstances, the British High Commission in Nairobi [intervened](#) to bring Adebolajo back to the UK and save him from terror charges in Kenya.

Once back in Britain, Adebolajo [claimed](#) he was subject to ongoing harassment by MI5 and that the security agency tried to convince him to become a covert human intelligence source in order to spy on Islamic extremists.

Adebolajo was arrested in Kenya in 2010, but brought to UK and released where in 2013 he murdered British soldier, Lee Rigby

Less than three years after being returned to the UK, on 22 May 2013, Adebolajo and his accomplice Michael Adebowale hunted down Fusilier Lee Rigby, near his barracks in Woolwich, southeast London and brutally hacked him to death in broad daylight. Adebolajo and Adebowale were later convicted of murder and sentenced to life and 45 years in prison, respectively.

Claims that Adebolajo had previously [been](#) on the radar of the UK intelligence agencies prompted a parliamentary investigation into whether the killing of Rigby could have been prevented by the spy agencies.

The review by the UK parliament's Intelligence and Security Committee (ISC), published in 2014, found mistakes in British security operations but [concluded](#) they were not "significant enough to have made a difference" in stopping the attack.

The ISC report, and another [review](#) conducted in 2016 by the Intelligence Services Commissioner, Mark Waller, both concluded that Adebolajo's arrest was not procured by British intelligence.

But an investigation by *Declassified* in Kenya now provides a different picture, contradicting both the reviews and MI6's testimony to them.

## **ARCTIC in Kenya**

Both reviews covered the involvement of a body called ARCTIC, which the Intelligence Commissioner's report [described](#) as "a Kenyan counter-terrorism intelligence unit which has a close working relationship with... HMG [Her Majesty's Government]."

It continued: "Although ARCTIC can and does act independently of HMG and without its knowledge, their relationship appears to be much closer in practice than some of the more formal, theoretical statements about it might suggest."

*Declassified* previously [found](#) that ARCTIC is in fact an MI6 liaison cell within Kenya's National Intelligence Service (NIS) counter-terrorism unit and plays a key role in identifying, tracking, locating and interrogating terror suspects in Kenya.

ARCTIC [undertakes](#) undercover operations to produce actionable intelligence on targets who are then killed or captured by the police, including the clandestine [CIA-backed](#) paramilitary Kenyan police unit named the Rapid Response Team (RRT). *Declassified* has also revealed that ARCTIC is involved in raids involving alleged summary executions, such as the [case](#) of terror suspect Kassim Omollo in 2013.

*Declassified* can now reveal that MI6, working with Kenya's NIS intelligence officers, tracked and arranged for Adebolajo's arrest, according to two NIS officers familiar with the operation, who made the admission independently of each other. Their testimony was further corroborated by a former CIA counter-terrorism officer familiar with operations in east Africa.

"For that specific case they [MI6] were here. I can't deny that", one of the NIS officers told *Declassified*. "If it were not for them I think it would have been difficult for us to do that job... That specific assignment was important. Because the mark [suspect] was from their place, their country."

*Declassified* has learned that upon Adebolajo's arrival in Kenya in October 2010, MI6 alerted Kenya's NIS and sought approval from its Director to meet with two intelligence officers and brief them on the case at NIS' headquarters in Nairobi.

MI6 told two government reviews it was not involved in Adebolajo's arrest in Kenya

A team of Kenyan intelligence trackers then moved to the coastal city of Mombasa, where it tracked Adebolajo and his associates to Paté island and arranged for their arrest before they could sail off to Somalia, it was alleged.

An investigating officer with Kenya's Anti-Terrorism Police Unit (ATPU) familiar with Adebolajo's case confirmed to *Declassified* that his arrest came after the local police officer in charge received intelligence about his movements.

British covert surveillance capabilities played a key role, the two NIS officers told *Declassified*. One of the officers spoke of the difficulty in tracking Adebolajo due to his awareness of electronic surveillance measures. Believing he could outsmart British and Kenyan intelligence, Adebolajo often relied in Kenya on email communications at internet cafes.

But Adebolajo was unaware of extensive British intelligence surveillance capabilities, including those of MI6's sister agency, GCHQ (Government Communications Headquarters) — Britain's signals intelligence organisation — which can conduct surveillance on targets.

The "GHOSTHUNTER" programme, run by GCHQ, operates in collaboration with the US National Security Agency, and can target internet and phone access by identified individuals, by intercepting communications transmitted through satellite terminals, documents [leaked](#) by Edward Snowden show.

GCHQ has made regular use of GHOSTHUNTER to locate "high value targets" for kill or capture operations in countries such as Kenya, Iraq, and Pakistan, according to documents leaked by Snowden.

MI6 team worked with Kenyan intelligence cell to track Adebolajo and arrange his arrest, Kenyan officers say

It is possible that, in addition to its own field surveillance capabilities, MI6 relied on the programme's capabilities to track Adebolajo.

However, the two NIS officers confirmed to *Declassified* that the arrest was designed to appear

exactly as the UK Intelligence Commissioner [asserted](#) in his review: “happenstance”.

The officer also confirmed that the ARCTIC intelligence officers who interrogated Adebolajo while in Kenyan police custody were the same officers later involved in the capture and interrogation of another Briton, Jermaine Grant, a year [later](#).

Britain’s Foreign Office, which oversees MI6, declined to answer questions for this article, citing a policy of not commenting on intelligence matters.

### **Misleading inquiries**

The Kenyan officers’ testimony contradicts the evidence MI6 provided to the ISC and the Intelligence Commissioner, and the conclusions of both reports. Evidence was given to the ISC by Sir John Sawers, then the head of MI6, and other MI6 officers.

The [report](#) of the ISC, which was chaired by former foreign secretary Sir Malcolm Rifkind, stated that “both SIS and MI5 were notified of Adebolajo’s arrest and detention. Prior to this, SIS and MI5 had been unaware that Adebolajo had travelled to Kenya”.

The Intelligence Commissioner’s report similarly [concluded](#): “Neither SIS nor MI5 knew that Mr Adebolajo was in Kenya prior to his arrest there; and SIS had the operational lead thereafter but no contact with him”. The Commissioner, Mark Waller, put down Adebolajo’s arrest by the Paté island police to a “chance sighting”. Waller concluded that the individual MI6 officers who gave evidence to his inquiry “did their best to answer all my questions honestly and truthfully”.

He also [described](#), somewhat inconsistently, MI6’s engagement with the review as “wholly inadequate”, stating that it “provided inaccurate and incomplete information and generally sought to ‘fence’ with and ‘close down’ lines of inquiry, rather than engage constructively.”

Evidence provided to *Declassified* supports this view. “That’s on them to lie to their oversight committee”, a former CIA counter-terrorism official with knowledge of Adebolajo’s case said of MI6’s claim of non-involvement.

“That whole case was a guy who had been on the radar and they lost him [prior to Lee Rigby’s killing]. For whatever reason, they couldn’t take it to the next level and 6 [MI6] is trying to cover their ass, no different than the FBI does and we do. We fuck up too.”

“That’s on them [MI6] to lie to their oversight committee”, former CIA counter-terrorism officer with knowledge of the case tells *Declassified*

The Intelligence Commissioner’s report contained hints of MI6’s involvement in the arrest before going on to dismiss them. It noted: “Intelligence Officer 1 [an MI6 officer] took a comment by one of his Kenyan counterparts as an indication that Mr Adebolajo had been arrested as the result of intelligence provided by an agent”. But the report concluded: “As it happens, there almost certainly was no agent”.

The report also stated that on 18 November 2010—three days before Adebolajo was arrested—an MI6 officer presumed to be based in Nairobi sent an email to MI6’s head office in London summarising Kenyan laws and procedures on the arrest, detention and deportation of British nationals suspected of extremism.

The email also outlined the process whereby MI6 and MI5 would work together on the identification of targets—and noted that the British government would work closely with ARCTIC on the planning of detention operations.

## Accountability

MI6's reluctance to disclose its role in Adebolajo's arrest is likely to be explained by the desire to keep secret its extensive relationship with Kenya's intelligence service, as recently [revealed](#) in a months-long investigation by *Declassified*. It may face questions about its involvement in Kenya's bloody war on terror, which has seen [hundreds](#) of suspects killed or disappeared.

The ISC stated in its report: "Where HM Government has a close working relationship with counterterrorist units, they will share responsibility for those units' actions."

The Intelligence Commissioner agreed, stating: "I consider that any allegations of mistreatment made against ARCTIC would be of concern to HMG irrespective of whether it co-operated in or was aware of the underlying operation because of their close working relationship and intelligence-sharing arrangements."

The MI6 ARCTIC liaison cell was also behind the intelligence that led to the [capture](#) of two Britons in Mombasa three years after Adebolajo's arrest in 2013, and of a [doctor](#) and [three others](#) in Kenya in 2016, over alleged attempts to stage an anthrax attack in support of the Islamic State terrorist group, *Declassified* can also reveal.

A Kenyan officer familiar with the operation to arrest the anthrax attack suspects recalled a pre-meeting between ARCTIC officers, RRT paramilitaries and ATPU officers. The ARCTIC intelligence officers "gave us the type of the suspect, whom we were going to arrest, and—during the search—the items which we were to go for", the officer said.

One of the Kenyan officers described the ARCTIC cell as "highly mobile, highly covert", even by NIS standards, and composed of human intelligence field operatives and tech specialists. Alongside MI6, the CIA and Israel's Mossad each have separate liaison cells within Kenya's NIS. Each cell is composed of a team of Kenyan officers dedicated to working with the foreign intelligence agencies to counter terrorism in the country.

Sir Malcolm Rifkind told *Declassified* that its allegations were "very disturbing" but said he was "sceptical" of them, adding that it was "highly improbable" that MI6 officers deliberately lied about their involvement.

He stated: "It is not impossible that certain SIS officers were carrying out activities in Kenya that had not been authorised by London... [but]... my main reason for scepticism is that I cannot see what motive SIS would have had to lie to the ISC."

Sir Malcolm added: "There would have been nothing embarrassing or controversial for SIS in volunteering this information. It had no relevance to the subsequent brutal murder of Lee Rigby. I do not see any credible motive for the Chief of SIS, and his colleagues, to have lied to a statutory Committee of Parliament."

But Sir Malcolm Rifkind, who chaired one of the reviews, claims there was no "credible motive for the chief of SIS, and his colleagues, to have lied to a statutory Committee of Parliament"

The revelations cast significant doubt on the willingness of Britain's intelligence oversight body, the ISC, as well as the Intelligence Commissioner, to fully examine Adebolajo's claims, pursue leads and interview available witnesses as part of their reviews.

The *Guardian* previously [reported](#) that "the committee [ISC] is alleged to have reached its conclusions without speaking to a number of witnesses, including a family member and lawyers, who claim Adebolajo complained a year before the attack of repeated approaches by the security services".

Tasnime Akunjee, a criminal defence solicitor who is familiar with Adebolajo's case and represented a close friend of his who appeared on BBC Newsnight to [tell](#) Adebolajo's story, told *Declassified*, "SIS [MI6] and the UK authorities have worked hand in glove with the Kenyan authorities, with the full knowledge that the Kenyan authorities have been accused many times of extrajudicial killings... That would be their motivation to lie; given that the UK authorities even in Guantanamo Bay have been found liable simply for being present when individuals were being tortured."

Akunjee added: "Where there is intelligence sharing between countries, the rule is that nobody leaks. If it does leak from one particular side then that relationship is strained or then ceases. So there would not just be a motivation for the security services to keep a lid on this, but generally for the entire UK government to want to maintain that close working relationship with Kenya."

Former Intelligence Commissioner Mark Waller told *Declassified* via an intermediary that "he has always felt it inappropriate to give interviews in relation to his role as Intelligence Services Commissioner".

Sir John Sawers declined to comment. Adebolajo's lawyers also declined to comment, citing the need to review the findings with their client.

Read **Part 1** of this investigation [here](#).

Read **Part 2** of this investigation [here](#).

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