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United Kingdom: Don't play politics with right to liberty

The right to liberty is not a matter which can or should be the subject of political bargaining, said Amnesty International today.

The organization welcomes the fact that the government has agreed to review the current draft provision of the Terrorism Bill 2005 which would allow detention of a person suspected of involvement in terrorism without charge for up to 90 days in police custody but urges the government and MPs to ensure that all provisions of this Bill are consistent with the UK's obligations under international and domestic human rights law.

In particular the provisions on detention must respect the right to liberty and prohibition from arbitrary detention, the right of a detainee to be promptly charged, the right to the presumption of innocence and to freedom from compulsion to incriminate oneself. Amnesty International also considers that the longer a person is held for questioning in police custody, the more coercive the situation and the less likely that any statements that they do make will be deemed by the courts to have been made voluntarily.

"Government and law makers in the UK must not compromise on these rights. The permissible length that a person is held in police custody without charge is not something which should be the subject of political negotiations. The right to be promptly charged is the dividing line between respect for the right to liberty and arbitrary detention," the organization said.

Human rights standards are clear - a person must be promptly charged. The proposed 90 days' detention without charge is tantamount to internment; 28 days is also not a figure that would satisfy the criterion of promptness, and would still amount to a violation of the right to liberty. Current UK law already allows for detention in police custody without charge of persons suspected of involvement in terrorism for up to 14 days - a period which the UK Foreign Office's own research paper shows is longer than any other country surveyed in its report.

Public Document

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