

# AMNESTY INTERNATIONAL

## Public Statement

AI Index: EUR 45/011/2005 (Public)  
News Service No: 113  
29 April 2005

## UK: Law Lords to decide if “evidence” obtained by torture is admissible

### A Joint Statement by:

**AIRE Centre (Advice on Individual Rights in Europe)**  
**Amnesty International**  
**Association for the Prevention of Torture**  
**British Irish Rights Watch**  
**Committee on the Administration of Justice**  
**Doctors for Human Rights**  
**Human Rights Watch**  
**INTERIGHTS**  
**International Federation of Human Rights**  
**Liberty**  
**REDRESS**  
**The Law Society of England and Wales**  
**The Medical Foundation for the Care of Victims of Torture**  
**World Organisation Against Torture**

On 18 April 2005 the Law Lords agreed to allow the above-mentioned coalition to intervene in the forthcoming appeal before their Lordships arising from an August 2004 ruling of the Court of Appeal of England and Wales that "evidence" obtained by torture of a third party is admissible unless it has been directly procured by UK agents or if they have connived in its procurement.

In its oral and written intervention the coalition will recall that the absolute prohibition of torture or other ill-treatment requires the exclusion as "evidence" in *any* proceedings of *any* statement where there is knowledge or belief that it has been obtained as a result of any such ill-treatment, except against a person accused of such treatment as evidence that the statement was made.

In October, the Law Lords will hear the appeal brought by 10 foreign nationals who were interned without charge or trial against the August 2004 Court of Appeal's judgment.

The coalition has retained Richard Stein, Jamie Beagent and Johanna Hickman of Leigh Day & Co solicitors, on a *pro bono* basis. Edward Fitzgerald QC, Keir Starmer QC, Mark Henderson, Joseph Middleton, Peter Morris and Laura Dubinsky, barristers at Doughty Street Chambers, have been instructed, also *pro bono*.