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## **UK: Members of Parliament vote to extend pre-charge detention**

Today's vote by UK Members of Parliament to extend yet further the maximum period of pre-charge detention for terror suspects is a dangerous and disappointing development. It risks moving the law in the UK even further away from fundamental principles of fairness and the protection of human rights.

This afternoon the House of Commons – the lower, elected house of the UK Parliament – supported, by 315 votes to 306, proposals to give a government minister the power to extend from 28 to 42 days the already very long period for which people suspected of involvement in terrorism can be detained by the police in the UK without being charged with any offence.

"No government minister should be able to invoke a power which would allow the police to hold people for six weeks without charging them with a criminal offence," said Amnesty International.

"People who are detained have a right to be charged promptly, or to be released: the law in the UK is moving further and further away from this basic principle and in so doing is increasing the scope for arbitrary detention and other violations of human rights."

Today's vote showed that members of the House of Commons may have been persuaded by last-minute concessions by the government which were claimed to provide safeguards for the exercise of this power. These concessions, however, do not address the fundamental injustice of allowing an individual to be held for up to six weeks on the strength of a mere suspicion, without being charged with any offence.

The legislation now goes to the upper house – the House of Lords – for their consideration. Amnesty International will be calling on the members of the House of Lords to reject this proposal, and to give very careful scrutiny to some other worrying aspects of the Counter-Terrorism Bill.

Amnesty International is renewing its call to the UK government to listen to the large number of MPs who voted against this dangerous and ill-conceived measure, and to the wide range of experts who have expressed the most pressing concerns about it, and to abandon it once and for all.

"Instead of allowing people to be held for longer and longer without being charged, the UK government should be committing itself to a root-and-branch review of all counter-terrorism legislation in the UK, with the aim of bringing it into line with basic international human rights standards – standards which protect the rights of individuals, including the right to be treated fairly and the right not to be detained arbitrarily for a prolonged period of time," Amnesty International said.

"The idea that countering terrorism somehow requires removing or eroding basic guarantees of individual liberty and physical safety is a dangerous and discredited one; the government should reject it once and for all," Amnesty International said.

### **Background**

Despite the concessions proposed by the government at a late stage in the debate around the Counter-

Terrorism Bill, parliamentary scrutiny of the decision to bring into force the power to detain for up to 42 days will remain essentially meaningless, since Parliament will not have any of the relevant facts in front of it when it comes to vote. Judicial scrutiny of applications to keep someone locked up past 28 days will suffer from the same basic unfairness as affects such applications under the existing system: the prosecutors will only have to persuade a judge that there are reasonable grounds for believing that further detention is 'necessary' for the purposes of the investigation, and that the investigation is being carried out reasonably promptly. There will be no need to show that there are any reasonable grounds to believe that the person in detention has, in fact, committed any criminal offence.