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DURKAN - SDLP WILL OPPOSE SECRET INQUESTS AND 42-DAY DETENTION

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SDLP Leader and Foyle MP Mark Durkan MLA has said the party will vote against British Government proposals for 42-day detention and secret inquests when the Counter-Terrorism Bill comes before Westminster this week.

Mr Durkan said: “It is clear that the Government wants to salami slice our civil liberties. First they wanted detention for 7 days, then 14, now 42. And it won’t stop there. One of the most senior police officers in Britain has called for people to be detained without charge “for as long as it takes.” That’s internment by any other name.

“Instead of inching towards internment, the British Government should be reforming the law so that those who are involved in terrorist atrocities are charged and tried.

“It stands justice on its head to lock people up for weeks without charge – and flies in the face of human rights.

“People in the North know that lengthy detention without trial saw people confess to crimes that they did not commit. It created the anger and resentment that fuelled the conflict. Instead of repeating the mistakes of the Troubles, the British Government should learn from them.

“The SDLP has also put down amendments opposing Government plans for secret inquests. There are 20 inquests still to be held in the North from the Troubles and it is as clear as day that the British Government are planning to use these new powers in at least some of them.

“In a throwback to the old Stormont regime’s Special Powers Act, these proposals mean that a Secretary of State can sack a jury at an inquest at any time for almost any reason. So families who suffered secret state murders now face secret inquests into them. This only adds further insult to the very deep injury that these families have already suffered.”

ENDS

NOTES TO EDITORS:

1. The Terrorism Act 2000 provided for 7 day detention, as the Emergency Provisions Act in Northern Ireland did since its introduction in the 1970s.
2. This was increased to 14 days by the Criminal Justice Act 2003.
3. In 2005 the British Government proposed increasing the period to 90days.Following a backbench rebellion; this was reduced to 28 days.
4. Ken Jones, the head of the Association of Chief Police Officers (ACPO) on 15 July 2007 was reported to have called for detention without charge “for as long as it takes.” See <http://news.bbc.co.uk/1/hi/uk/6899363.stm>
5. The Counterterrorism Bill 2008 proposes detention without trial for 42 days. It also gives the Secretary of State the power to dismiss juries in inquests, including ongoing inquests. The Secretary of State can do this:
 - on national security grounds;
 - in the public interest
 - in the interests of relationships with another Government.

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See Clause 66 of the Bill.

With the public excluded and juries sacked, this means secret inquests.

6. It is clear that the British Government plans to use these powers for some inquests into Troubles related deaths, although it is not clear which ones. There are 20 Troubles related inquests still to occur in Northern Ireland. These relate to a number of notorious cases such as:

Ø the shoot to kill cases in 1982,

Ø the shooting of Pearse Jordan in 1992 and of pensioner Roseanne Mallon in 1994;

Ø the UVF killing of Raymond McCord Junior in 1997.

7. Sinn Fein has consistently misrepresented the SDLP's voting record on the 90 day detention vote in 2005. The Government proposal in the Terrorism Bill 2005 was for 90 days. A backbench rebel amendment was proposed to make this 28 days. If that amendment did not go through, 90 day detention would have become law. Tony Blair at the time asked the SDLP to abstain, like Sinn Fein, or to vote with the Government. The only way of preventing 90 day detention was by supporting the rebel amendment for 28 day detention. The SDLP did so and the Government was defeated on its 90 day proposal. The SDLP continues to campaign for an end to emergency legislation, which we believe to be counterproductive

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