

The Counter-Terrorism and Human Rights Conference 2007

New Policy, New Practice?

Wednesday 12 December 2007, Victoria Park Plaza, London SW1

An up-to-the-minute assessment of the latest developments
in counter-terrorism law and policy in the UK

- Pre-charge detention
- Control orders
- Deportation and 'diplomatic assurances'
- The use of intercept evidence
- What do changes in government mean for policy and practice?

The implications for liberty and security – and the practical questions for lawyers



Keynote Speakers:

Lord Carlile of Berriew QC

Independent Reviewer of
Terrorism Legislation

Tony McNulty MP

Minister of State for Security,
Counter-terrorism, Crime and Policing

Plenary Speaker:

Keir Starmer QC

Doughty Street Chambers

Speakers:

Alex Bailin, Matrix

Jan Berry, Chair, The Police Federation

Andrew Dismore MP, Joint Committee on Human Rights

Judith Farbey, Tooks Chambers

Michael Fordham QC, Blackstone Chambers

Susan Hadland, Home Office

Andrew Hall QC, Doughty Street Chambers

Raza Husain, Matrix

Gareth Peirce, Birnberg Peirce

Professor Clive Walker, University of Leeds

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Why you should attend

This summer's failed terrorist attacks in London and Glasgow found a Home Secretary and Prime Minister just hours into their new jobs. The threat remains – but will a Brown-led government steer a change of course in its response?

Change is certainly in the air. This autumn sees a series of developments that will significantly alter the counter-terrorism regime in the UK. A new Counter-terrorism Bill is high on the government's agenda. The Law Lords may deliver a damaging blow to control orders. And the Privy Council will report on the use of intercept evidence – hitherto banned – in UK courts.

The Counter-Terrorism and Human Rights Conference brings together leading experts from all sides of the counter-terrorism debate to discuss these developments. The legislative response to the threat of terrorism remains hugely controversial. Nowhere are the tensions between branches of state – government, Parliament and the judiciary – more evident.

Interactive breakout sessions will examine the pivotal topics in particular detail:

- Pre-charge detention
- Deportation and 'diplomatic assurances'
- Control orders
- The use of intercept evidence

"The more any response is rooted in our civil liberties and human rights... the better"

Tony McNulty, Minister of State for Security, Counter-terrorism, Crime and Policing.
Labour party conference, 25 September 2007

Key topics will include:

- A new counter-terrorism regime? What do changes in government, caselaw and legislation mean for policy and practice?
- Sharing a platform, but miles apart? Can leading defence lawyers, prosecuting authorities, a minister, the independent reviewer of terrorism legislation and the chair of Parliament's human rights watchdog find common ground?
- Deportation of terrorist suspects – are 'diplomatic assurances' compatible with freedom from torture under Article 3 ECHR?
- Is an 18 hour curfew a deprivation of liberty? Can secret evidence ever be used in fair proceedings? What next for control orders after the House of Lords judgment?
- Would admitting intercept evidence cut the Gordian knot in terrorism trials?

Who should attend:

- Policy makers
- Government lawyers
- Prosecuting authorities
- Judicial authorities
- Defence lawyers
- Specialist NGOs

Your chance to clarify the key issues

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Human Rights Conference 2007



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Programme (subject to change without notice)

9.00 Registration

9.30 Morning Plenary Session:

Chaired by Lord Goodhart QC

Introduction from the Chairman

Keynote Speech:

Lord Carlile of Berriew QC, Independent Reviewer of Terrorism Legislation

10.00 **Plenary Speech: Key recent developments in counter-terrorism law and practice**

Keir Starmer QC, Doughty Street Chambers

10.30 Questions and Discussion

11.00 Coffee

11.15 Morning breakout sessions

(choose one from the following two)

1. Intercept Evidence

Andrew Hall QC, Doughty Street Chambers
CPS representative

The UK is the only country in the world to ban completely the use of intercept evidence in court. In light of the Privy Council review, this session will examine the arguments for and against continuing the current ban, and discuss the practicalities – and potential difficulties – involved in handling such evidence.

Chaired by Sally Ireland, JUSTICE


2. Control Orders

Susan Hadland, Home Office
Michael Fordham QC, Blackstone Chambers

Under the Prevention of Terrorism Act 2005, the Home Secretary may impose a control order on any person he or she suspects of involvement in terrorism. Following the decision of the House of Lords in the Control Order appeals, what now for the control order scheme? Are extensive curfews imposed without criminal charge compatible with basic rights? And is it fair for a person to be subject to a control order without knowing the evidence against him or her?

Chaired by Shaheed Fatima, Blackstone Chambers

12.30 Lunch

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13.30 Afternoon breakout sessions

(choose one from the following two)

3. Pre-charge Detention

Jan Berry, Chair, The Police Federation

Alex Bailin, Matrix

The UK has the longest period of pre-charge detention of any western country. This session examines the legal and policy debate surrounding one of the most contentious issues of UK counter-terrorism policy: is the current limit really necessary? Or does it need to be raised further in order to allow the police sufficient time to gather evidence against suspects?

Chaired by Eleni Mitrophanous, Matrix

4. Special Immigration Appeals Commission and Deportation

Raza Husain, Matrix

Judith Farbey, Tooks Chambers

The government is pursuing a strategy of deporting suspects to countries with a reputation for torture by relying on 'diplomatic assurances' against ill-treatment. So far, the UK has negotiated memoranda of understanding with Jordan, Lebanon and Libya and has also sought to return individuals to Algeria. This session examines the human rights issues surrounding such proposals, including the most up-to-date case law on the UK's obligations under Article 3 of the European Convention on Human Rights.

Chaired by Roger Smith, Justice

14:45 Tea

15.00 Afternoon Plenary Session:

Chaired by Jennifer McDermott, Withers

Afternoon Keynote Speech:

Developing a broader terrorism response?

Tony McNulty MP

Minister of State for Security, Counter-terrorism, Crime and Policing

15.30 Panel Discussion

The government expresses the intention to fight terrorism without compromising respect for liberty. How will the relevant minister ensure that it delivers on that intention? And how will this change of emphasis affect practitioners and policy-makers? Tony McNulty will be joined by an expert panel to dissect the issues and assess their impact from a number of perspectives

Andrew Dismore MP, Joint Committee on Human Rights

Gareth Peirce, Birnberg Peirce

Professor Clive Walker, University of Leeds

16.30 Close of Conference

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Material No: 231361

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conference will constitute late cancellation and payment will still be due or forfeit if already paid.

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