



REPRIEVE

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### **Secret Courts threat graver than ever after Government overturns Lords amendments to the *Justice and Security Bill***

(LONDON – 6 February 2013) – Today Amnesty International, JUSTICE, Liberty and Reprieve warned that the threat of Secret Courts is graver than ever after Ministers defied the House of Lords and reverted back to the original version of the highly damaging *Justice and Security Bill*.

Yesterday – as Westminster and the media concentrated on same-sex marriage – the House of Commons Committee responsible for scrutiny of the Bill passed new Government amendments which reverse changes to the Bill made by the Lords in November.

The Government suffered several large cross-party defeats on the legislation in the Upper House last November as Peers introduced a series of amendments. Those changes – supported by Labour, Liberal Democrats, Conservatives and Crossbenchers – improved the likelihood that Secret Courts would be used only as a genuine “last resort”.

Now, following intervention by government ministers, the “last resort” amendment has been overturned - meaning [secret hearings could become the default](#) in cases where the existing system for fairly handling sensitive material could have been used. If Ministers get their way then secret material – never disclosed to the claimant, let alone public or press – could routinely be used to defend serious allegations. The only people allowed to be present would be the judge, the Government itself and a Government-appointed Special Advocate.

**Angela Patrick, Director of Human Rights Policy at JUSTICE said:**

***“The Government failed to make the case for expanding secret justice wholesale. Now Ministers reject even minor changes to the plan to make closed hearings the default in some cases.***

***Parliament must dig through the spin and reject this unjustifiable and damaging challenge to open justice and accountability.”***

The *Justice and Security Bill* now heads for Report Stage in the House of Commons – where there is likely to be a showdown vote to either entirely scrap Part 2 of the Bill (which contains the provisions for Secret Courts) or to reintroduce the House of Lords' original amendments. Labour has reserved the option to vote against the legislation if the Government fails to make the case for it and a growing number of Conservative and Liberal Democrat backbenchers also oppose the Bill.

Meanwhile opposition elsewhere continues to mount. The Scottish Government does not want the Secret Courts provisions to apply to devolved areas in Scotland and the Scottish Liberal Democrats will debate a motion against the Bill next month. And Conservative MP Andrew Tyrie and Anthony Peto QC, of Blackstone Chambers, have published *Neither Just nor Secure*, a report for the Centre for Policy Studies, which rejects the legislation.

For further information or comment, contact 020 7762 6415 or [apatrick@justice.org.uk](mailto:apatrick@justice.org.uk).

#### **NOTES TO EDITORS:**

1. For more information about the Justice and Security Bill, see JUSTICE's briefings on <http://www.justice.org.uk/resources.php/325/justice-and-security-bill>
2. *Neither Just nor Secure* published by the Centre of Policy Studies, can be found here: <http://www.cps.org.uk/files/reports/original/130123103140-neitherjustnorsecure.pdf>
3. In November 2012, the Scottish Justice Secretary wrote to the Scottish Parliament to express concerns about the Bill and to indicate that it would not extend CMP to any issues within devolved responsibility. A copy of the correspondence can be found here: [http://www.scottish.parliament.uk/S4\\_JusticeCommittee/General%20Documents/20121122\\_C\\_SfJ\\_to\\_CG.pdf](http://www.scottish.parliament.uk/S4_JusticeCommittee/General%20Documents/20121122_C_SfJ_to_CG.pdf)
4. Full information on the House of Commons Committee Stage debates can be found here: <http://services.parliament.uk/bills/2012-13/justiceandsecurity/stages.html>

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