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Blow to UK plans to use intercepted evidence (EN)

- Renseignement - International -



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THE BRITISH government's plans to allow secret recordings of criminals and terrorists to be used as evidence in court has suffered a major blow following an expert report which has found it to be unworkable.

The effort has been opposed by MI5, MI6 and the British government's own Cheltenham-based surveillance unit, GCHQ, which feared disclosures in court would reveal the workings of security services' operations.

The review was carried out by Lord Carlile, the government's independent reviewer of terror legislation, who said he favoured the use of intercepted communications "in principle, but the practicalities and some legal issues are against it".

Ireland banned the use of such evidence up until this year, but it broke from sharing common practice with the UK when Minister for Justice Dermot Ahern changed the law in the Covert Surveillance Bill. Mr Ahern said "secret surveillance" could be used as "evidence either to support other direct evidence on criminal charges".

Under the Carlile review, mock trials were conducted using real intercept material gathered in current investigations into drugs and money laundering cases in the UK, but major problems were thrown up. In particular, the mock trials showed that the defence would be able to use the law to demand disclosure of a range of intercept evidence which could compromise future investigations, the report, published in London, warned.

Post-scriptum :

<http://www.irishtimes.com/newspaper...>