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Belmarsh detainees to be released today but face restrictions

BY ROBERT VERKAIK, LEGAL AFFAIRS CORRESPONDENT | Friday 11 March 2005

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A foreign terror suspect held without trial for more than three years was yesterday freed from detention to be reunited with his family.

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A foreign terror suspect held without trial for more than three years was yesterday freed from detention to be reunited with his family.

Eight more detainees held at Belmarsh Prison in South London and Broadmoor Hospital in Berkshire will be released on bail today. The detainees include the radical Jordanian cleric Abu Qatada who was branded "a truly dangerous individual" by the Special Immigration Appeals Commission in 2003.

All nine men have been ordered to comply with strict bail conditions that fall short of house arrest but restrict their movements in the community.

'A', a 38-year-old Algerian with a wife and five young children, was last night driven by police to his home for an emotional reunion with his family. He has been in Woodhill High Security Prison, since his arrest in December 2001 under the emergency anti-terrorism legislation rushed through Parliament following the 11 September attacks on America.

The Home Secretary alleges that 'A' is an international terrorist with links to terrorist groups associated with Osama bin Laden. Specifically the Government claims 'A' was involved in buying telecommunications equipment for the Mujahedin fighting in Chechnya. Throughout his long detention, 'A' has consistently denied being involved in terrorism.

Before releasing the Algerian from the cells of the Special Immigration Appeals Commission in London, Mr Justice Ouseley warned 'A' of the consequences of breaching his bail.

Turning to 'A' who sat among dock officers in a glass panelled box in the court, the judge said: "You are going to be released from here on bail. I believe that Mr Emmerson ['A's barrister] has explained to you the terms. It's important that you comply with the terms because under the present provisions of the Act you can be returned to prison if you break them. It may be that under a new regime similar terms may exist and there may be different penalties. But it's important that you comply with these too."

Yesterday's decision to grant bail in principle to all nine foreign terror suspects follows a law lords ruling last year that declared part of the Government's emergency anti-terror legislation to be incompatible with the European Convention on Human Rights.

The Home Secretary's response to that judgment was to draw up replacement

legislation proposing new control orders for both British and foreign terror suspects.

The bail conditions set out by the court yesterday are expected to form the basis for the new control orders and are still being debated by Parliament.

Mr Justice Ouseley was yesterday conscious that his ruling may have been overtaken by events. He said: "Even as we speak, my powers may have drained away."

Ben Emmerson QC, for the detainees, accused the Home Secretary of "delaying tactics" by keeping the men in custody despite agreeing not to oppose their bail on 22 February.

Mr Emmerson said that the men's subsequent detention was unlawful and that the Home Secretary had been unco-operative in responding to requests made by the men's lawyers for conditional bail.

Mr Emmerson said he was concerned that the terms upon which the men should live would have a detrimental impact on their family life.

Under the bail conditions, Mr Emmerson said they would have to telephone the Home Office before ordering a pizza or having a haircut.

Meanwhile, the court also relaxed bail conditions for 'G', a suspected terrorist who has already been released from prison.

BAIL CONDITIONS

1. To wear an electronic tag
2. Reside at a specified address and abide by a curfew not to leave the home between 7pm and 7am
3. Not to meet any person without prior permission of the Home Secretary
4. Comply with telephone reporting conditions
5. Must permit the entry of police officers and representatives of the Home Secretary to conduct a search of the premises when required
6. Shall not allow any person to enter the premises apart from immediate family members and other named persons except by prior approval from the Home Secretary
7. Only allowed one fixed phone and one computer without internet access
8. Notify the Home Secretary before any departure from the United Kingdom
9. Only permitted to have one bank account, details of which must be given to the Home Secretary
10. Banned from the transfer of any money or sending of documents outside the UK without prior consent
11. Prohibited from buying or selling any form of computer or communications equipment.



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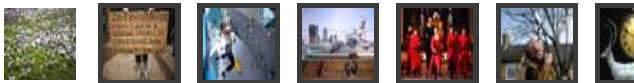
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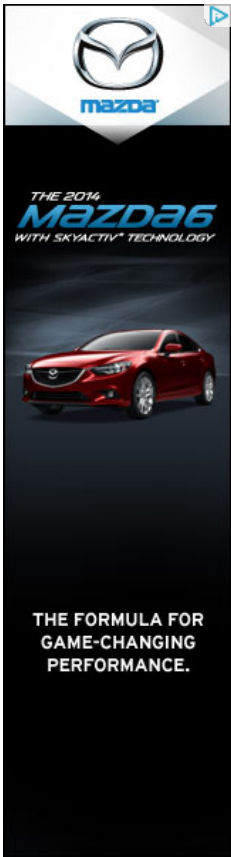
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