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All must respect judge's decision

Pro fide et patria

Editorial

27/03/09

It was inevitable that the first prolonged attempt by police to detain paramilitary suspects for more than seven days of questioning would be surrounded by legal challenges.

In the event, procedural uncertainties resulted in an order that six individuals who had been questioned for

almost two weeks about the appalling murders in Antrim and Craigavon earlier this month should be freed immediately.

While some unionist politicians have expressed concern about the releases, it is plain that, in the view of the lord chief justice, Sir Brian Kerr, allowing the suspects to remain in custody was not an option in the circumstances.

If Northern Ireland's most senior judge issues such a ruling, after giving full consideration to the relevant background, then it deserves to be respected on all sides.

What it does not mean is either that the police investigation has lost its way or that the prospects of ultimately bringing the guilty parties before the courts has been seriously damaged.

As this newspaper pointed out only two days ago, it is essential that the institutions of the state should at all times endorse the basic principles that are at the heart of the judicial process.

Detectives must be able to interview suspects for a reasonable period of time, which in Northern Ireland has usually been seven days, after which they need to be charged or freed.

If, after any release has taken place, significant new evidence should emerge from any source, then there should be nothing to prevent rearrests following swiftly.

All right-thinking people want to see those with any involvement in the recent evil murders convicted for their crimes, but it remains vital that the highest possible legal standards are maintained at every stage from arrests to sentencing.

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