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## Kelly expresses concerns over Justice legislation

Published: 6 February, 2007

Sinn Féin's spokesperson on policing and justice, Gerry Kelly, has expressed concerns at the draft legislation relating to Justice issues, which is currently passing through the British parliament.

Mr Kelly said:

"We are concerned that aspects of the draft Justice legislation which is currently before the British parliament may undermine the effect of the repeal of repressive legislation which is scheduled for July this year. We have raised these concerns consistently in discussions with the British Government.

"The British Government during negotiations committed to the repeal of emergency powers as part of the programme of demilitarisation. This is due in July of this year and includes the abolition of the Diplock courts.

"Provisions currently under consideration at Westminster have the potential to allow the continued use of some emergency powers in particular circumstances. We have a particular concern at the provisions that give the Public Prosecution Service discretion to allow a case before the courts to be a nonjury trial. There must be no re-introduction of Diplock courts through the back door.

"Similarly, the provisions that allow extended powers of arrest to the PSNI and the British Army and those, which seek to limit the application of new powers for the Human Rights Commission, should be withdrawn. New powers for the Human Rights Commission were agreed as part of the recent negotiations as a necessary step in driving forward the Human Rights agenda. It is essential that the Commission has all the necessary powers to be fully effective.

"It is clear that the transfer of powers is critical to realising the fundamental reform of the criminal justice system and the new beginning to policing envisaged in the Good Friday Agreement.

"Sinn Féin want this to happen sooner rather than later. The British Government have signalled that, in the event of a refusal by the DUP to agree the transfer of powers in the timescale set out in St Andrews they will take the necessary steps to ensure this happens. There must be no retreat from

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