

Northern Ireland Troubles (Legacy and Reconciliation) Bill

AMENDMENT
TO BE MOVED
ON REPORT

After Clause 38

LORD FAULKES

Insert the following new Clause—

“Authorisation of interim custody orders under the Detention of Terrorists (Northern Ireland) Order 1972

- (1) Article 4 of the Detention of Terrorists (Northern Ireland) Order 1972 is to be treated as always having had effect as authorising an interim custody order under that article in relation to a Troubles-related offence to be made by and with the authority of any Minister of the Crown whose signature was required for the making of such an order (and not just by and with the authority of the Secretary of State personally).
- (2) Subsection (1) does not revive any criminal conviction quashed before the coming into force of this section.
- (3) But a person whose conviction for any Troubles-related offence (whether or not quashed) or whose detention (whether or not as a consequence of such a conviction) depended, directly or indirectly, on the validity of such an interim custody order is not entitled, by or under any enactment or otherwise, to receive any damages or compensation in respect of that conviction or detention if the only reason for impugning its validity relates to whether the order was made by and with the authority of the Secretary of State, personally.
- (4) Subsection (3) applies irrespective of whether the claim for damages or compensation was made before or after the coming into force of this section.”

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