

## **Possible Concessions (not for disclosure)**

### ***Trigger***

- Could set out in statute (in new paragraph 39 or schedule 1) the issues that the Director of Public Prosecutions/police report needs to address ie. number of suspects involved, amount of material seized and international connections. This would not limit the situations in which the higher limit could be made available but it would mean all factors needed to be covered.
- Could make it clear in guidance that, although the higher limit would apply to anyone arrested under the Terrorism Act during the period it is available, we would only expect it, in practice, to be used against those involved in serious, complex international plots.
- Could say report needs to come from Attorney General rather than DPP (paragraph 39)
- Make DPP-police report available to the Opposition on Privy Council terms.

### ***Role of Parliament***

- Could move Parliamentary approval of Home Secretary decision to within 7 (or 14?) days of decision being taken (new paragraph 45). Would mean that someone could still be held for more than 28 days before Parliamentary debate but could not be held for 42 days.

### ***Safeguards***

- Could say that the report on operation of the higher limit is done by someone other than independent reviewer (new paragraph 46) perhaps a panel?
- Could bring forward the independent reviewers report from 6 months to 3 months after higher limit has ceased to be available (new paragraph 46).
- Could have an independent Commissioner at Paddington Green with responsibility to ensure suspects properly detained.
- Could limit extensions beyond 28 days to a max of 3 or 4 days at a time instead of 7 (new paragraph 42)
- Could extend judge role in detention – could have a statutory role in relation to welfare of suspect, could have the same judge allocated throughout detention period, could enable judge to order alternatives to detention (tagging, bail, etc). Would be resisted by Crown Prosecution Service and police.
- Could say that for all extension hearings, suspect must appear before a judge in person rather than by video link. Would appeal to Joint Committee on Human Rights but would not be popular with judges and would have resource implications.