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## Opinion

# Viewpoint: Fugitives must not be allowed to evade justice

Monday, February 12, 2007

The report in the Belfast Telegraph that a total of 14 prisoners are currently on the run in Northern Ireland is a disturbing enough disclosure in itself. But to make matters worse, it has now emerged that the fugitives concerned are to face no additional punishment if and when they are recaptured.

The prisoners were among those who had been granted home leave as they approached the end of their sentences - a term already reduced in most cases because they benefited from the soon to be redundant 50% remission rule.

The absconders identified by this newspaper all failed to report back to prison as arranged, and some have now been missing for more than six years. While some of them had been jailed for motoring offences, others had been serving time for serious crimes such as armed robbery.

Although the inmates were deemed suitable for home leave, the fact that they are now on the loose will fuel public concern about what many people see as a breakdown in law and order. Criminals who had not served their full sentences have now vanished into thin air and the fear is that, without access to social security benefits, they may be tempted to re-offend.

That is one worry, but the fact that they will suffer no further penalty if they are caught makes a mockery of the legal system. When they are returned to jail, the clock will simply be put back and all that will happen is that they will be required to serve out the residue of their sentences.

In other words, a blind eye will be turned to the fact that they decided to renege on the terms of their home leave. Despite the fact that their actions required police to be taken off other duties to search for them, they will simply return to prison as if nothing had happened.

This is an affront to natural justice and it is to be hoped that MP Nigel Dodds will be successful in his efforts to secure a review of the current policy. As he says, there is no deterrent to prisoners who decide to break the rules.

At the root of the problem lies an issue already exposed by this newspaper. Prison governors are unable to punish inmates by imposing loss of remission because this would infringe their human rights, in that it would be contrary to a European Court of Human Rights ruling.

The only remedy is for the police to lay new charges against prisoners who have absconded. Strangely, such powers are not utilised at present but there is a strong argument for prosecutions to be pursued for the most flagrant violations.

The danger is that the present lenient policy will further undermine confidence in the prison system and add to the worries of the law-abiding public. While the PSNI must intensify its search for the fugitives, Mr Dodds must leave no stone unturned in his quest for justice.

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