

## **Case summary**

### **Issue(s)**

Whether a decision to make an interim custody order under the Detention of Terrorists (Northern Ireland) Order 1972 art. 4(1) was rendered invalid by the fact that it was made by the Minister of State and had not been considered personally by the Secretary of State.

### **Facts**

In July 1973, an interim custody order was made in respect of Gerard Adams. It was signed by the Minister of State at the Northern Ireland Office. The case was referred to a Commissioner in August 1973 and a detention order was made by a commissioner under the legislation in May 1974. Mr Adams first attempted escape in December 1973. The second attempted escape occurred in July 1974. He was convicted in respect of these attempts in March and April 1975. He did not appeal against either conviction. Following the release of government papers under the 30 year rule, which indicated that his case had not been considered personally by the Secretary of State, Mr Adams was granted an extension of time in April 2017 to appeal against the convictions. The Court of Appeal in Northern Ireland dismissed the appeal in January 2018.