

JUSTICE PRESS RELEASE

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JUSTICE calls for review of UK-US extradition arrangements

Following the High Court judgment given today in the case of *Bermingham and others v The Government of the United States and another* [2006] EWCH 200 (Admin), JUSTICE called for a review of arrangements for extradition from the UK to the US under the Extradition Act 2003.

Under this Act, an extradition request takes precedence over an investigation (unless the person is charged) – or a decision not to investigate or not to prosecute – by the UK authorities. The US has also been exempted from the requirement to provide evidence against a person before they can be extradited.

Sally Ireland, Senior Legal Officer (Criminal Justice) at JUSTICE said:

A person who has never been to the US can be removed from their family and extradited there without anyone in the UK ever seeing a shred of evidence against them – even if the UK authorities have decided not to prosecute them. This calls for urgent review.

Notes to editors:

1. JUSTICE gave evidence to the House of Commons Home Affairs Select Committee on the US-UK Extradition Treaty 2003 on 22 November 2005. The evidence can be found here <http://www.publications.parliament.uk/pa/cm/cmhaff.htm#evid>

2. Although the 2003 treaty has not been ratified in the US and is therefore not in force as a matter of international law, it has been implemented in the UK by virtue of the Extradition Act 2003.

3. Under the 2003 Act, the US is a 'category 2' territory. These territories can be exempted by statutory instrument from the requirement to provide evidence amounting to a prima facie case against someone before they can be extradited. The US was so exempted by the **Extradition Act 2003 (Designation of Part 2 Territories) Order 2003** (SI 2003/3334).

Chairman of Council **Lord Steyn**

Director **Roger Smith**

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