



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

Com Sec: 10\4167

2nd July 2010

Dear Lord Morrow,

To ask the Minister of Justice for a breakdown of the (i) procedures; and (ii) costs involved in obtaining and serving a European Arrest Warrant.

7232/10

The above mentioned question was placed before the Minister of Justice, who has deemed that this is an operational matter for the Police Service of Northern Ireland. Therefore the Chief Constable has been asked to respond directly.

European Arrest Warrants (EAW) are received into the United Kingdom jurisdiction at one point only, the United Kingdom Central Authority, Serious & Organised Crime Agency (SOCA International) in London. The content of the warrant is examined for key information at this point and 'Certified' before being transmitted to the appropriate area in which the requested person is believed to be residing. All warrants for the Northern Ireland jurisdiction are passed to the PSNI Extradition & International Mutual Assistance, Criminal Justice Department.

On receipt, the content of the warrant will be examined and forwarded to the Crown Solicitors Office for Northern Ireland for closer scrutiny in order to identify any potential defects or difficulties prior to being returned to the Police Service. If defects are identified, they will be addressed in writing with the requesting country via SOCA International.

Once the warrant is available to the Police Service, the Extradition Unit will take appropriate steps in conducting research and enquires to verify the current whereabouts of the requested person. Once this has been achieved a planned arrest operation will be conducted. On arrest, the requested person will be received into Police detention prior to an initial appearance before the appropriate court in Northern Ireland for Extradition matters, currently the Recorders Court in Belfast.

The initial court appearance commences the extradition process. The requested person may consent or resist extradition at this point. If written consent to extradition is forthcoming then the appropriate judge will issue an order for the requested person's removal from Northern Ireland to the requesting State. If extradition is resisted then the matter will adjourn for a subsequent hearing/s. The removal of persons from Northern Ireland following an extradition order is conducted by the PSNI Extradition Unit in consultation with the requesting State,

Command Secretariat, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE
Telephone: 028 90700006, Fax: 028 90700124



Calls within Police Service of Northern Ireland telephone system may be monitored or recorded

via SOCA International. Extradition to the Republic of Ireland will normally be achieved by a hand over to An Garda Síochána at a suitable border location.

In a situation which an EAW is believed to be required to return a person to the UK jurisdiction, for example, if a defendant is known to have left the jurisdiction prior to trial or sentence, then PSNI Extradition will initiate the extradition process subject to a number of key matters.

- There must be a direction to prosecute by the Public Prosecution Service for Northern Ireland and available information which would suggest the country or location of the person sought.
- The case papers and original directions are passed to the High Court & International Section of the PPSNI for further direction with a view to extradition.

Following a further direction to seek extradition the case papers will pass from PPSNI to the Crown Solicitors Office who will prepare the EAW and domestic warrants as required. PSNI Extradition and PPSNI will assist in the collection of any further material necessary to inform this process.

The EAW and associated domestic warrants will be sworn before a Magistrate in the area in which the offences occurred. Following the court process the EAW will be transmitted by PSNI Extradition to SOCA International who will in turn transmit the warrant to the Member State/s for action.

Following arrest in the requested country, the person will enter into a judicial process for extradition. Once an extradition is ordered then PSNI Extradition will make appropriate arrangements with the requested country via SOCA International to travel to the country and return the person to Northern Ireland. The requested person will be brought before an appropriate court on their return at which point extradition proceedings are complete and domestic proceedings commence.

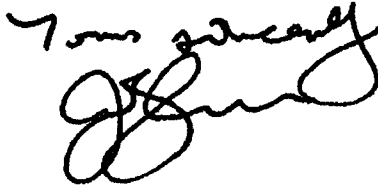
The costs incurred by the Police Service of Northern Ireland form only part of the overall cost of a particular extradition process. The cost of a process to either obtain or execute an EAW will vary significantly from case to case based on a number of key factors, outlined below:

- The number of officer hours committed to research / enquiries / operational commitments / court appearances / removal or collection of requested person.
- Travel arrangements / location – Europe or Transatlantic (re International Arrest Warrants).
- Number of officers required to appropriately escort a requested person subject to risk assessment.
- Extraditions between Northern Ireland and the Republic or Ireland – associated costs to ensure operational security
- Prisoner travel costs one-way.

In general the costs incurred by PSNI arise from officer hours invested in the extradition process and travel costs associated with the removal or return of a requested person in order to ensure the administration of justice.

If you have any queries regarding this response, please address your correspondence to Command Secretariat, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE.

I trust this is of assistance.

A handwritten signature in black ink, appearing to read 'John McCaughan', written in a cursive style.

JOHN MCCAUGHAN
Superintendent
for Chief Constable

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