

Extradition (Provisional Arrest) Bill [HL]

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

The Schedule

BARONESS HAMWEE

Page 2, leave out lines 17 to 19

Member's explanatory statement

This amendment precludes the period of imprisonment extending beyond 24 hours before the person is brought before a judge.

Page 3, line 9, at end insert “and

(e) it is satisfied that the request is not politically motivated.”

Member's explanatory statement

This amendment is to probe the propriety of requests, and whether paragraph (d) provides adequate protection.

Page 3, line 34, leave out “, vary”

Member's explanatory statement

This amendment is to probe the variation of a reference to a territory, as distinct from an addition or removal.

Page 3, leave out lines 36 to 38

Member's explanatory statement

This amendment is to query the use of regulations for the purpose in paragraph (b).

Page 3, line 38, at end insert—

- “() Regulations under subsection (7) may add a reference to a territory only if the Secretary of State is satisfied that the territory—
- (a) respects the international rules-based order;
 - (b) does not abuse the Interpol Red Notices system;
 - (c) complies with human rights requirements under Interpol's constitution; and

The Schedule - continued

- (d) has a criminal justice system in which there is a high level of confidence, in particular that—
- (i) arrested persons have access to lawyers;
 - (ii) there is no interference with the independence of the judiciary, prosecutors, lawyers or the administration of justice; and
 - (iii) defendants have a right to a fair trial.”

Member’s explanatory statement

This amendment specifies the basis on which the Secretary of State may add a reference to a territory in Schedule A1.

Page 5, line 6, leave out “the designated authority believes”

Member’s explanatory statement

This amendment is to probe whether the designated authority should rely on a request if there is any doubt as to whether the requesting authority has this function.

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2 March 2020
