

[REDACTED]

From: [REDACTED]
Sent: 21 December 2010 2:45 PM
To: extradition.review
Cc: [REDACTED]
Subject: Extradition Review-Submissions

Dear Rt Hon Sir Scott Baker ,

Please find attached a document which has been composed by my brother, Babar Ahmad, who is facing Extradition to the US. He was arrested on a US extradition warrant in August 2004 and has been in prison since, for six and half years, without trial.

We are submitting this document for consideration by the Extradition Review Panel. I am copying our solicitors, Birnberg Peirce and Partners, and our MP, Sadiq Khan. Please could you kindly acknowledge receipt of this document.

Should you require any further information or clarifications please do not hesitate to contact me.

Kind regards

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 30 December 2010 11:50 AM
To: extradition.review
Cc: [REDACTED]

Subject: Rt Hon Sir Scott Baker's Extradition Review - In Confidence

Dear Sirs,

I would like to take this opportunity to comment on extradition from the United Kingdom from the position of a British businessman who is currently being threatened with extradition to the US. I believe you may find my points of interest in your review as they provide a very real current example of where the current extradition procedures are, I believe, very wrong.

If you would like any additional information, please do not hesitate to contact me.

Yours Sincerely,

Haslen Back
CEO



Rt Hon Sir Scott Baker,
<http://www.homeoffice.gov.uk/media-centre/press-releases/sir-scott-baker-review>
extradition.review@homeoffice.gsi.gov.uk

Ref: Public Consultation, Review of the UK Extradition Act 2003

29th January 2010

Dear Sir,

I would like to take this opportunity to comment on extradition from the United Kingdom from the position of a British businessman who is currently being threatened with extradition to the US. I believe you may find my points of interest in your review as they provide a very real current example of where the current extradition procedures are, I believe, very wrong. I use the word "threatened" with extradition as that is what it is, as I will explain in this letter.

I would like to give you a brief background on the current matter, before I make my comments on the Extradition process in general and on the UK US Extradition Agreement in particular in light of this example.

We are advised by Russell, Jones & Walker (RJW), www.rjw.co.uk in London, Greene & Greene www.greene-greene.com in Bury St Edmunds and Dwyer Collora (DC) <http://www.dwyercollora.com> in Boston, USA. I would be more than happy for you to cross check the points I mention below with our legal advisors.

Background

- I serve with four other Directors of a group of UK companies under Alchemie Grp Limited (formerly Alchemie Technology Group Limited).
- In late 2004 a subsidiary company in the Group, APTx Vehicle Systems Limited, entered into a contract with a UK company called Zxxxxxx Limited to supply 51 specialist vehicles to them for supply to the Ministry of the Interior of Iraq via the Coalition Provisional Administration (CPA) in Iraq.
- During the contract the E&Y Trade Control compliance department advised APTx Vehicle Systems Limited that it could not complete work on the vehicles until the UK Govt. Export Control Office issued a Trade License.
- In June 2005 APTx Vehicle Systems Limited having done as much as they could within English Law with out a Trade Licence claimed for payment under the terms of its Letter of Credit from Zxxxxxx Limited, issued by JP Morgan in Brighton, for US\$5.7 million.
- The semi-completed order was held "in charge" at the sub-contractors premises, insured and under guard, by the logistics contractor / freight forwarder "XXX" under contract with two of APTx Vehicle Systems Limited's sub-contractors in Russia, whilst waiting for a UK Trade Licence. Once that had arrived the work would have been completed.
- In January 2006 the end user / CPA cancelled the contract under a "Cancelled for Convenience" clause that enabled suppliers to claim costs. APTx Vehicle Systems Limited was able to demonstrate that all funds received from Zxxxxxx Limited had been incurred as contract costs. No UK Trade Licence was issued.
- A consultant to Zxxxxxx Limited, who had introduced APTx Vehicle Systems Limited to Zxxxxxx Limited believed that Zxxxxxx Limited and APTx Vehicle Systems Limited had made a profit from the contract and demanded a large sum be paid to him, or else he would disclose the matter to the press, government authorities and other threats. The Board of Alchemie Grp Limited did not give in to his

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demands, but stated that should the matter be investigated by the relevant authorities, then it would cooperate.

- In 2006 a British tabloid newspaper printed an inaccurate story of the above matter and in April 2007 SIGIR (US Special Investigator for Iraqi Reconstruction) opened a criminal investigation into the non-delivery of vehicles, and subpoenaed Zxxxxxx Limited and APTx Vehicle Systems Limited (including the Alchemie Group and two directors namely Graham James & Haslen Back) to hand over to the investigators all information in their possession regarding the contract.
- The above press coverage and SIGIR investigation being a result of the consultant mentioned not having their extortionate demands met.
- The US Authorities in late 2009 requested assistance with the investigation from the UK authorities and the Ministry of Defence Police (MDP) took up the investigation, taking witness statements from individuals who had been involved in the matter. Alchemie Group had already complied with the US subpoena, and did not wish to have the cost of two investigations to deal with, but then found it had to defend (successfully) the unlawful arrest of myself by the MDP at yet more cost.
- The SIGIR investigation is into alleged fraudulent documentation presented to JP Morgan to claim payment.
- The Alchemie Group has since 2005 taken specialist legal advice on the matter and had confirmed by Counsel that the actions concerning the preparation and presentation of documents to JP Morgan were lawful, and within industry norms.

I would now like to deal with some key points related to the subject of extradition:

Each Country Has Very Different Legal Procedures And Processes.

In the text below I have used our case as an example of many such differences that will become very relevant later. To start with I will provide a few quotes from our US Attorney's:

"A grand jury would indict a jam sandwich if the Prosecutor requested it be done". (In UK the term investigation is used instead of prosecution I believe).

"If it wasn't the US government doing this it would be called extortion" referring to the US systems way of dealing with investigations and commercial settlements as will be described later.

"One of the witnesses has done a deal with the DA" (district attorney)

The US prosecutors are much more likely to pressure their witnesses to cooperate in the prosecution of a crime than in the UK. We have seen it happen where a colleague has had FBI & CIA personnel basically force them into admitting to 17 counts (points) when our attorneys have subsequently proven to the US prosecutors they were wrong on 15 counts, they got his name and address correct.

I mention these points in light of comments made that extradition to countries with equally fair legal processes/ trials should be "automatic". Even with America this is not the case.

Jurisdiction

We are Directors of a British Company managed from the UK and Russia. In 2004/5 we were in a contract with a UK company (Zxxxxxx Limited) as a sub-contractor to supply vehicles from Russia to Iraq for our UK client. We in turn used a number of sub-contractors in Russia, but one sub-contractor was in the USA to manage a logistics process, and the director of that company was and still is a director of our company.

The US Wire Fraud Act and the Foreign Corrupt Practices Act cover the globe. If a British entity (company, individual, etc.) uses email via the internet via a US server or the USA Dollar as the transacting currency they claim jurisdiction, regardless of whether a US entity is involved or not, they will fall into US Jurisdiction and regardless whether the act was not an alleged crime in the country where it was committed. If it's a crime in US law they will claim US jurisdiction and claim it was a crime that can be prosecuted under US law.

The US authorities are claiming jurisdiction because the funds used to pay our client Zxxxxxx Limited were from the CPA in Iraq that they claim were being held/invested in "trust" by the US Government and that a US contractor was being used to provide the logistics management.

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The US prosecutors have recently informed us of the fact that even though the presentation of documentation mentioned above to a bank in the UK may have been OK in England, it not they believe the case in the US, and therefore it's a crime in the USA that could be tried in the USA.

Threatened Indictment / Extradition

From the start of the US investigation the US prosecutor's threat was "if your directors do not cooperate we will indict you and you will be extradited to the USA". We objected on the jurisdiction grounds stating the point made above, to no avail. We therefore had to comply with the US subpoena to hand over complete and comprehensive documentary records of everything to do with the matter under investigation including all email, and other correspondence, all financial records, etc.

The investigation in the US is still ongoing although the statute of limitations (5 years since the alleged crime was committed) has expired. In Dec 2010 the US Prosecutor in Boston requested that 3 directors of Alchemie Grp Limited sign a "tolling agreement" waiving their rights under the statute of limitations for 3 additional months. If this had not been done then our US attorneys advised us that indictments would have been issued, followed by extradition requests. In this case they were after the CEO (that's me) and to make sure I cooperated they added my 69 year old father who is only remotely involved in the business, and my common law wife, the Finance Director. Our US attorneys told us it was common US practice to do this, even if there was no family connection with the business.

We have just been informed that the Prosecutor in the US wishes to enter into a criminal prosecution negotiation; with he states, "the remote chance of a civil settlement being reached in the region of \$2 million". That is what our US attorneys referred to as "legalized extortion" earlier in this letter.

We are informed that if the Company or Directors do not conclude successful negotiations with the US Prosecutors (including finding \$2m from a small business which is very hard, it's a different matter for a large business) then the US Prosecutors will look to indict and extradite the directors to the USA for trial.

I asked our US attorneys about the objectivity, independence and fairness of a jury trial in Boston, USA. The American New York reply was "forgetaboutit, do you honestly expect a Boston jury to take sides with a number of British business men who did not deliver vital vehicles to the Iraqi police for whatever reason and kept the money they were paid?". I asked our UK legal advisors about what the situation would be in the UK regarding a trial, I was informed that despite the view of our directors and legal advisors that nothing wrong was done in a civil sense, little own a criminal one, it would still not be a forgone conclusion that justice would prevail. They said if it were a jury of peers / legal practitioners, the jury would be far more likely to reach the right conclusion.

So would a group of British business men extradited to the US, held in custody for a long time before a trial, receive a fair trial? No, for the reasons mentioned above and no for other reasons, including:

How can they operate their business from custody, so how can their company afford professional legal representation in a complex international business trial?

Most business insurance and directors and officer's liability insurance policies for British companies operating outside the USA exclude legal costs from the USA. So they would not have any insurance policy to pay costs. This has already been the case with the companies insurance and to date legal costs have exceeded £250,000.

Legal Aid is not renown for attracting and funding the brightest legal minds in the profession, and certainly not in complex international commercial law. The opinion of our attorneys was that whatever "legal aid" was made available in the USA it would most certainly not be competent and sufficient in this matter.

I shall now comment in the light of the above to the points that you have requested public comment on. That is focusing on five areas to ensure that the UK's arrangements work both efficiently and in the interests of justice. I have copied key points made on the Home Office web site in bold, with my comments in italics:

Efficient and fair

Far too efficient, as extradition to the EU & US is automatic, bar the paperwork, and is certainly not fair for the reasons mentioned above and below.

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the breadth of the Home Secretary's discretion in an extradition case and the Home Secretary's powers to stop extradition

The Home Secretary must have the power to stop extradition when in the opinion of independent legal counsel a fair trial cannot be guaranteed in the country that has requested the British subjects extradition to stand trial in their country. A fair trial would be difficult in the best of circumstances for reasons mentioned above, so there must be an absolutely watertight case made before extradition proceedings are commenced.

the operation of the European Arrest Warrant, which deals with extradition requests between European countries, including the way in which its optional safeguards have been transposed into UK law

The European Arrest warrant does not have in place a veto by the Home Secretary and my comments above and I would like the comments I have made above below taken into consideration.

where a crime is mainly committed in the UK, whether the person should be tried here

For all the reasons given above, absolutely yes.

whether the US-UK Extradition Treaty is unbalanced

For all the reasons given above, and the ones that have been discussed in the public domain I would say yes.

whether requesting countries should be required to provide sufficient evidence to prove an allegation and whether the forum bar to extradition should be commenced

An extradition request needs to provide the UK authorities and the defendant's legal council with the full evidence and both parties should have to make a case before a British judge that there are sufficient grounds for the extradition to go ahead. It must not be just prima facie evidence. So that a fair decision can be reached after proper informed debate with a judge on whether there is sufficient evidence of wrongdoing and in the requesting countries jurisdiction for extradition.

Why does the government not pass the 2006 "Forum Amendment" now?

In the British justice system a person is supposed to be presumed innocent until proven guilty. This is sadly not the case we have encountered with the US system nor is it the case in the current extradition process.

Why should the police have the power to arrest someone when a foreign government has not had to make a full case as I mention above to a British judge? This is also unjust. I acknowledge that there are circumstances where there is a need to arrest a person or people to prevent a crime happening but this is already covered under police powers.

I hope that was a brief, yet comprehensive, illustrated answer to the points that you are addressing.

I would also like to mention briefly the commercial and psychological pressures that the current extradition agreement brings. For a small business (5 employees with a turnover of £2million/annum) the costs of having to deal with the cost of a US investigation are crippling. The fact that the directors could be arrested and extradited to the USA at the drop of a hat means companies are extremely reluctant to enter into long term commercial relationships, if any. The constant gnawing knowledge that you, your colleagues and family could be arrested at any moment without forewarning day or night, and extradited to America, and knowing that you and they would not receive a fair trial is awful!

I have copied this letter to the people listed in the CC list below so they can have a "real life" example of what I believe are the injustices related to the current Extradition Act and may be prompted to taking an active roll in your review process.

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If you would like any further information please do not hesitate to contact me. I hope you are able to develop and implement a much fairer extradition process.



Former Lt/Captain
2nd Battalion
The Royal Anglian Regiment

CC:

Mark Prisk and Vince Cable, Department for Business, Innovation and Skills.

David Ruffley MP or Bury St Edmunds

Karl Watkin MBA

Shami Chakrabarti, Director, Liberty

Chief Executive and the Chairman of the Institute of Directors

Chief Executive and the Chairman of the Confederation of British Industry

Chief Executive and the Chairman of the Defence Manufacturers Association

Chief Executive and the Chairman of the Federation of Small Businesses

Simon Ratcliffe, Partner, Greene & Greene

Rod Fletcher, Partner, Russell, Jones & Walker

Mike Galvin and Tom Dwyer, Partners, Dwyer & Collora

Alchemie Group Directors

[REDACTED]

From: [REDACTED]
Sent: 27 November 2010 12:39 PM
To: extradition.review
Subject: Views on Extradition Act and EAW

Requesting evidence: The country requesting extradition should have to provide evidence of the alleged offence AND the accused person should have the opportunity to contest the charge in the Magistrates court. Currently, under the Extradition Act, the accused may not bring evidence to refute the charge(s). This is totally unjust and applies equally to the EAW.

There seems to be the assumption that other countries are similar to the UK in terms of their court procedures. This is manifestly not the case. Accused persons may linger for months in jail before being brought to trial. In the US, approximately 97% of cases are settled by plea bargains. Why? Because the sentencing guidelines are so draconian that it is preferable to settle for a short spell in prison, even if innocent, rather than go to trial with the possibility of losing and then be sentenced to a term that we would consider ludicrous- sometimes exceeding one's life expectancy by some margin.

Forum: If an alleged crime has been committed wholly or partly in this country, it should be tried in this country. The probability is that all or the majority of witnesses for the defence will be here, together with documentary evidence. The law enforcement authorities should not be allowed to decide that a case is better prosecuted abroad. If there is a case to answer, it should be prosecuted here. If they can find no evidence of a case to answer, there should be no extradition.

Home Secretary: Yes, the Home Secretary should have the power to prevent extradition in cases where there are sufficient grounds to believe that extradition would be injurious to the physical or mental health of the accused.

Specialty: It is understood that a person may only be tried for the offence for which he/she was extradited. It behoves the Home Office to check in how many of the recent cases exported to the US specialty was observed. Because Wire-Fraud is not (yet) an offence in this country, the original indictment of the Natwest three was for seven cases of Wire-Fraud was amended to a charge of conspiracy to defraud so that extradition could go ahead. Having arrived in Huston they were indicted with seven cases of Wire-Fraud, each carrying a penalty of five years, potentially 35 years. In how many other cases have the US prosecutors failed to observe specialty?

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[Redacted]

From: [Redacted]
Sent: 05 January 2011 9:18 AM
To: extradition.review
Subject: Extradition Comments

Sir

[Redacted]

Rather than go into details for the individual cases, I will summarise how the frustrations of the public arise: it is predominantly due the length of time to process these cases, leaving the media to inadvertently put an unhealthy or bias slant on reporting, as, over time, they speak with the individuals subject to the request and the courts do not formally respond.

For example, the argument that 'evidence isn't required' may be factual, but the reality is that evidence is available and (certainly in the first example given above) is actually in the public domain – but the public need direction to find, read, and react to the facts for themselves. An easy solution is to direct the media that if they are covering the case, they must include reference to direct the public to the factual record(s).

The length of time to process a request is a frustration itself – to the Courts; to Law Enforcement in both countries; to the financial purse; and to the health and sanity of the individuals subject to the request (and their families) as they lives are left 'in limbo' for literally years whilst delay 'tactics' are dragged on and on.....'sacking' of legal teams being an easy method (as a new team has to be sought, then time allowed to brief – usually months – in order to collate the same 'arguments' again and again). An easy solution is to legislate that a legal team will be nominated (similar to a Legal Defenders Office as in other countries).

These delays in effect damage the case itself – as time lapses, the criminal activity becomes 'historical' and must then appear to the public as being so long ago that they question the validity of both the request and its process - as to it being worth the cost.

By reducing the drawn out procedure, cases will be heard in a timely and acceptable manner and, most importantly, brought to justice.

Thanks

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: 08 November 2010 5:31 PM
To: extradition.review
Subject: My Views

Dear Sirs,

As requested, here are my views on :

the Home Secretary's powers to stop extradition

Not really interested in one person being able to stop it. Our courts should decide, with a jury listening to the facts and then deciding if there is enough evidence, just like any other trial should be.

the operation of the European Arrest Warrant, which deals with extradition requests between European countries

This should have zero place in Britain. Our courts should decide, not some unelected entity on foreign soil. Democracy and law only work at local levels and the further you push power, the less fair, accountable and in touch it becomes.

where a crime is mainly committed in the UK, whether the person should be tried here

They should be tried here to decide whether to send them away or put them in prison here, depending on who the crime was committed against.

whether the US-UK Extradition Treaty is unbalanced

It is unbalanced and I am sick of this country bending over to others, just because they are powerful. It's time we grew a backbone again and did the right thing!

whether requesting countries should be required to provide sufficient evidence to prove an allegation

It REALLY worries me that you even have to ask this question. OF COURSE THEY SHOULD!

Regards

[REDACTED]



[REDACTED]

From: [REDACTED]
Sent: 09 November 2010 4:28 PM
To: extradition.review
Subject: Views on extradition

I believe our extradition treaty with the US is abhorrent. We do not have the death penalty in the UK and we should not be extraditing people to countries who have it.

If a crime is mainly committed in the UK then the person should be tried in the UK. Requesting countries must provide sufficient proof that a crime has been committed before extradition is possible. Such proof/evidence that it would lead to a court case if it had happened in the UK.

UK law must take precedence over any other requesting country's law, in or outside of the EU. Sufficient evidence must be provided and a fair trial must be assured before any extradition. It is not enough for a country to say it will not execute or torture an individual who is to be extradited. No extradition should ever take place to any country that tortures or executes its citizens.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 09 November 2010 4:43 PM
To: extradition.review; [REDACTED]
Subject: On Gary McKinnon

To: extradition.review@homeoffice.gsi.gov.uk

I am an IT expert (google my name to check), and have studied the Gary McKinnon case carefully. His crimes were not serious, whatever the US say, and amount to pushing an open door. Essentially he did not break in to anything, but rather it was open. The cost of making a system secure, is not the same as the damage caused. There is almost no case against him, yet you are considering his extradition to the US. Why?

Surely, before extradition, a good case must be made for it?

So I say that extradition should be impossible without good evidence for a serious crime against the state making the request.

Yours faithfully,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 09 November 2010 5:57 PM
To: extradition.review
Subject: USA Extradition treaty

Dear Coalition govt,

You know our views the USA/UK extradition treaty is flawed and needs to be revoked.

You got a lot of votes as you promised to do this.

Your torture of Gary McKinnon. the Howes family and others awaiting deporation to USA 3rd world justice is dispicable. As is this oppertunity to remind you of your promises. On Friday you received at least 682,300 tweets regarding the treaty. You know what we want.

You are a really dispicable lying government who are now CHOSING to persecute those less able in our society, namely the handicapped unemployed and poor.

You should look at your proposals and at your millionaire cabinet and understand that when the streets of UK errupt in riots its because of your unreasonable policies that no-one voted for. You will be a one term Government if you even last that far.

Sincerely,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 09 November 2010 10:39 PM
To: extradition.review
Subject: view

There should be no extradition to countries such as the U.S.A. that refuse to recognise international law or are selective in their acceptance of such agreed law.

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[REDACTED]

From: [REDACTED]
Sent: 09 November 2010 10:55 PM
To: extradition.review
Subject: Views on extradition arrangements

- the Home Secretary's powers to stop extradition SHOULD BE ABSOLUTE OVERRIDING ANY OTHER LEGISLATION. HE SHOULD HAVE THE DECISION OF LAST RESORT
- the operation of the European Arrest Warrant, which deals with extradition requests between European countries SHOULD BE SUBJECT TO THE FINAL DECISION OF THE HOME SECRETARY AS ABOVE
- where a crime is mainly committed in the UK, whether the person should be tried here AGAIN THIS SHOULD BE AT THE DISCRETION OF THE HOME SECRETARY WITH NO APPEAL
- whether the US-UK Extradition Treaty is unbalanced YES. SHOULD BE EQUILATERAL (AND GARY MCKINNON SHOULD NOT BE EXTRADITED!)
- whether requesting countries should be required to provide sufficient evidence to prove an allegation YES. THIS EVIDENCE SHOULD BE EXAMINED BY THE SUPREME COURT BEFORE EXTRADITION IS GRANTED AGAIN SUBJECT TO THE HOME SECRETARY'S RIGHT TO QUASH THE EXTRADITION WARRANT

THE EXTRADITION OF ANY UK CITIZEN SHOULD BE DECIDED BY THE UK JUDICIARY AS FINAL AND NO APPEAL ABOVE THE UK JUDICIARY SHOULD PERMITTED.

[REDACTED]

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From: [REDACTED]
Sent: 10 November 2010 5:19 AM
To: extradition.review
Subject: Your views on Extradition Wanted

Dear Sirs,

I would very much like to show my concern over the current extradition laws, especially with respect to the current state of affairs with the US.

Current legislation appears to give a very lopsided difference between the requirements of the UK versus the US in the conditions that are required in order for extradition to take place.

Whilst I realise that this is due to differences between UK and US laws, I would still expect UK citizens to be protected by UK laws at all times.

In abolishing the need for evidence when extraditing to most countries in the world, this has removed the safety net once afforded to UK citizens in that they will always obtain a 'fair trial'.

How is it that the US because of its Constitution has a provision that any country requesting the extradition of a person or people must have evidence of the crime committed by the person being extradited? All other European and Commonwealth countries signed up to a similar treaty did so on the understanding that we all played by the same rule book.

For the UK to extradite someone from the US they only need establish 'probable cause' of which the US constitution's fourth amendment has defined as "information sufficient to warrant a prudent person's belief that the wanted individual had committed a crime"

- Whilst it may be impossible for us to create a law that is compliant with both UK law and the US Constitution, all I ask is that they UK Government should introduce the forum bar with respect to extradition.
- The Home secretary should be given the powers to halt extradition to the US if they feel that there is a lack of evidence. Reasonable cause is not justification enough for people or persons to be extradited to the US.
- The same should be applied to the European Arrest Warrant. The UK Government should protect its citizens by ensuring that the trial they receive in any Foreign country is at least of equivalent standard to that of which they would expect within the UK. UK citizens have a right to be protected by their UK Government at all times.
- When a crime is mainly committed in the UK, that person should be tried here. It is my personal belief that this provides a simple solution to the problem where the victims of the crime or the scenes of crime are spread around one or more countries. If the crime was committed upon UK soil, it should be tried upon UK soil under UK laws.
- The US-UK treaty is most definitely unbalanced for the reasons I have previously mentioned above.
- Requesting countries must provide sufficient evidence in order to prove an allegation. If such allegations are terrorism related for example, the UK already has systems in place to help protect UK citizens and those should be afforded to foreign countries by applying UK law.

Many thanks for allowing me the opportunity to express my views on this matter and I look forward to following the outcome of this review.

Lastly, I would like to add that Home Secretary needs to clearly state that Gary McKinnon will not be extradited to the USA until this "Review" has been completed any changes passed in to Law by the UK Government.

[REDACTED]

From: [REDACTED]
Sent: 10 November 2010 6:51 PM
To: extradition.review
Subject: Extradition

I would like to let you know my thoughts on the UK's extradition laws.

I feel it is a totally one-sided extradition law that makes no logical sense, the only sensible course of action is to overturn the extradition law to make it fair!

You want to be known as a fair and just Home Office, then you should no longer go along with whatever the US want and simply play fair.

Regards

[REDACTED]

—
FAIR VOTES NOW!

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[REDACTED]

From: [REDACTED]
Sent: 11 November 2010 8:59 AM
To: extradition.review
Subject: Extradition Review

Dear Home Office,

It is clear that as a cardinal nation we should represent our subjects first. That means that where it comes for requests regarding extradition we must retain the alleged individual in this country for fair and open trial and if required if found to be guilty and warranting detention that the same individuals serve their sentence in the United Kingdom.

Yours Faithfully

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 11 November 2010 4:01 PM
To: extradition.review
Subject: Extradition Review

Before a request for the extradition of a UK citizen is approved the DPP should assess the evidence and it should only be approved if he or she believes the case would meet the standards of evidence in a UK court.

Vulnerable adults should never be extradited instead the foreign government should be invited to present their case to a British court.

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[REDACTED]

From: [REDACTED]
Sent: 12 November 2010 11:54 AM
To: extradition.review
Subject: the Extradition Process

There are two aspects to extradition which to my mind have to be treated entirely different one is the return of a foreign national to their country of origin to face their domestic court of law, and the other is the extradition of a British National.

Extradition was intended to send a fleeing criminal back to the country where they are guilty of a crime. When the accused is not a foreign national but a British citizen, particularly when that individual was not physically in the country where the crime was alleged, then any trial should take place in the UK at the very least evidence contestable in a UK court must be part of the extradition process. The act of extradition alone is an extreme punishment itself and coupled with pre-trial detainment of indeterminate length, which regardless of innocence or guilt, could well mean to the recipient of such treatment, the loss of their job, the loss of their career and even the loss of their family. For this to be allowed to happen without the slightest right to challenge the evidence is a total violation of that individual's rights, human, family or otherwise.

Extradition must also be fully reciprocal. Many countries such as France, Ireland, Israel, Romania, America and many others quite rightly, will not extradite their own nationals. Extraditions from the USA to the UK have all been British Nationals, yet numerous British Citizens are being extradited and have already been extradited to the USA many for crimes which took place on UK soil and for which America's Jurisdiction is tenuous at best. Evidential reciprocity must also be fully in place. America, for instance, insists upon contestable evidence that the requested person is probably guilty before extradition can take place, whereas America needs provide no evidence at all to demand an extradition – a highly unbalanced and unequal situation.

There has also to be a similarity of legal systems which is highly unlikely, only a few countries to which we extradite have a sound legal system. Even countries which seem outwardly similar such as America have such differing evidential standards as would be considered inadmissible here in the UK such as the witness compensation scheme (bribery), evidence from convicted felons in return for a sentence reduction (more bribery) plea bargains (coercement) not to mention the use of the death penalty and evidence gleaned from torture (waterboarding, internationally recognised as torture, was officially sanctioned by the president). The simple fact that these things are commonplace and accepted in that country should exclude all UK nationals from ever being extradited there and this should apply to any country where similar dubious practices occur.

British Citizens have an inalienable right under the Magna Carta to a trial by one's peers one doesn't have peers in a foreign country it is physically impossible, and furthermore British Citizens also have a fundamental right, guaranteed by the 1689 Bill of Rights, not to be subjected to any punishment which is "cruel and unusual". Being dragged from one's family and home thousands of miles to be incarcerated in a foreign prison awaiting a trial by people who, in this country, would not be considered 'peers' but 'aliens', is, by any stretch of the imagination, a cruel and unusual punishment.

The inequalities and injustices are patently clear to anyone who even casually looks at extradition in the UK. I fear this request for contributions is more to do with PR than action but I do hope against hope that real action will result and justice returns to the UK extradition process.

[REDACTED]

From: [REDACTED]
Sent: 12 November 2010 7:09 PM
To: extradition.review
Cc: [REDACTED]
Subject: Views on Extradition 2003 - #Freegary Now ! Do the right thing.

It is fantastic (and I feel long overdue) that the public has been asked by the Home Office for their views on the Extradition Act signed 'in Secret' (and without being voted on by the people) by Tony Blair in 2003. This Act allows for the United States of America to carry on their (once secretive) 'Rendition's' of members of any nation State.

By slipping it into Law in the wake of the 9-11 atrocities - Tony Blair - whom many see as a war-monger and a War Criminal - gave away the Civil Rights of all British Citizens.

The 2003 Act contravenes The Human Bill of Rights , UK Citizens Rights and it makes a mockery of the Magna Carta under which the liberty of the people was enshrined.

It was not for Tony Blair - and is not for You (the Current Government) to allow for this Extradition to go ahead without a proper Public Consultation being carried out.

It is a decision that **MUST** be taken by all the citizens of the UK - and ALL of those I speak with are unanimous in the belief that to 'allow Extradition without Prima Facie evidence is - in its basest format - wrong.

I should also address the case of Gary Mckinnon as I am a firm believer that he has been and is being terribly mistreated as a consequence of the Labour Party's actions in 2002/3 and I think everyone (including the PM Mr. David Cameron and the Deputy PM Nick Clegg - who stated so publicly and loudly pre-election 2010) knows this to be the case.

As the UK has a duty to fight and stand up for Human Rights globally - it also has a Primary duty to do so 'at home'.

Gary has 'Aspergers' and this (while no excuse for his misdemeanours) needs to be taken into account when you carry out the Assessment of his case which I understand is ongoing.

I end with what is the most hurtful part of all of this charade which has been perpetrated on Gary and his family. I allude to the Acts 'intended' purpose - which is to assist on the War on Terror.

Gary Mckinnon , by any stretch of the imagination, is not a Terrorist.

This whole War on Terror has in fact become from Gary , his family's and his many supporters point of view - a war on Gary.

8 years of not knowing.

8 years with his/their lives on hold.

8 years of fear.

8 years of psychological suffering for a man with Autism.

Is this what the Extradition Act was designed for we ask?

I implore Theresa May to do what Nick Clegg stated while standing outside the Home Office with Garys mother during an Anti-extradition Demo - please Home Secretary - it's "simply a matter of doing the RIGHT thing".

Yours in hope.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 13 November 2010 5:24 PM
To: extradition.review
Subject: US-UK extradition Treaty

The Treaty is unbalanced: the US can demand the extradition of British citizens while requests from the UK may be rejected.

This Treaty harms UK US relations because of its lack of equity. Furthermore it does not improve justice because of the outrage felt even where those whose extradition is being demanded by US authorities appear to have a very clear case to answer. The anger at the system may outweigh anger at the possible crime.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 14 November 2010 1:38 AM
To: extradition.review
Subject: Gary McKinnon

Dear Rt Hon Sir Scott Baker,
without taking too much of your time I would like to express the importance of shedding as much news time as possible over the attempt to extradite Gary McKinnon to the u.s. over an attempt by the global elite to cover up free energy_simple as that,.

now they might try and come at you like its national security but it truly is mankind's as a whole right to evolve and ensure the planet's resources for future generations. Even if the Philadelphia, Pegasus and Montauk experiments did eventually work, are they using these for good? Haven't seen it yet, just bad..we need to get this knowledge to the world and out of the military industrial complexes hands or I fear the worst. Have you searched NWO on youtube?!!but soon even the internet will be censored, so once again we need to act fast and expose! my view is NO censorship and Gary McKinnon is a HERO FOR HUMANITY AND OUR EVOLUTION for bringing global light on this subject.

Anybody who suppresses the advancement of technology/humanity all so they can stay in power is a TRAITOR TO HUMANITY. thanks for your time.

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[REDACTED]

From: [REDACTED]
Sent: 15 November 2010 1:02 PM
To: extradition.review
Subject: Extradition

- Yes, the Home Secretary should have the final say on whether some one should be extradited.
- I don't know enough about European arrest warrants to comment on them.
- If the crime is committed mainly in the UK, including from a computer based in the UK (yes, of course I'm referring to the Gary McKinnon case), then the person should be tried in a UK court.
- Yes, the UK/US Treaty is unbalanced in favour of the US.
- Requesting countries should provide sufficient evidence that would allow our own CPS to pursue the case.

Over and above all this a bit of common sense should be applied. Persecuting someone who's done something incredibly daft, to the extent that Gary McKinnon has been, just makes it easier for real criminals to hide behind human rights and that benefits no-one.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 16 November 2010 7:30 AM
To: extradition.review
Subject: Equality and Potential Justice Paramount

Dear Sir/Madam,

My views on the extradition arrangements of the UK:

I believe that the UK has a duty to ensure that in addition to their being fairness in the arrangements, there needs to be a sense of duty regarding the individual who is being extradited, in that the country they will be sent to for trial has been seen to, through implementation, exercise a fair, just and unbiased system of law.

I believe the UK/US extradition arrangements to be unfavorable to UK extradites, particularly when the human rights issues at prisons in the US are questionable, and in many cases, devastating.

Justice, not transgression, is the aim in all cases.

Regards.

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[REDACTED]

From: [REDACTED]
Sent: 16 November 2010 4:43 PM
To: extradition.review
Subject: extradition

Dear Sir/Madam,

Whereas I agree persons having committed offences should be tried by the legal systems in the countries in which the crime was committed. This should be on a reciprocal basis only. We, in the UK, should not extradite British citizens to countries to face criminal proceedings where those countries refuse to extradite their citizens from facing proceedings over here.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 16 November 2010 7:31 PM
To: extradition.review
Subject: US-UK Extradition Treaty

Dear Sir or Madam,

I believe that the US-UK Extradition Treaty is one-sided. It does not allow for a US citizen to be extradited to the UK if a crime is committed in this country and the level of proof required to extradite a UK citizen to the USA is too low. There is no requirement for the USA to provide prima facie evidence in extraditions from the UK, only reasonable suspicion. The UK Government should offer more protection to its citizens if another country seeks to extradite a UK citizen based merely on suspicion.

The Treaty does not allow a UK citizen to seek access to legal once extradited to the US. This is unjust. I would urge the UK Government to amend the Extradition Act 2003 to achieve greater parity.

Yours sincerely

[REDACTED]

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From:
Sent:
To:
Subject:

[REDACTED]
17 November 2010 12:49 PM
extradition.review
Extradition

The extradition treaty with USA is inequitable. It is not reciprocal and allows our citizens (once known as British Subjects) to be sent to America without the slightest attempt at seeing if there is a bona fide case. The penalties faced by them are by our standards grossly disproportionate to the offence. The Nat West bankers had not even committed an offence in the USA. The legislation relating to the extradition treaty must be repealed. By the way do not forget Gary Mckinmon is likely to face grotesque penalties for something which showed the Americans the weaknesses in their system. An American citizen would probably be able to a deal and work for the CIA. This unfairness has not allowed the extradition of an IRA murderer since it only wrks in one direction. [REDACTED]
Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 12:52 PM
To: extradition.review
Subject: Extradition Review

Dear Sir,

I have been concerned about the Extradition laws and have followed the Gary McKinnon case with some interest. Here are my concerns:

- * In exceptional cases the Home Secretary's should have the power to stop extradition
 - * The health of the person being extradited should be a major factor.
 - * I believe very strongly that where a crime is mainly committed in the UK the person should be tried here in this country. This is so important that it should be enshrined in law.
 - * The US-UK Extradition Treaty seems to be seriously unbalanced and it seems much easier for our citizens to be extradicted to the US, than vice-versa. This needs to be addresses
- ↪ The requesting countries should be required to provide sufficient evidence to prove an allegation.

Yours Sincerely

[REDACTED]

From: [REDACTED]
 Sent: 17 November 2010 3:04 PM
 To: extradition.review
 Subject: Gary McKinnon's extradition fiasco

Dear Sirs,

I think it is imperative that we keep Gary in the UK for trial for the following reasons:

1. Gary was on British soil during the incidents in question, and we have our own Common Law system to deal with any crimes on British soil.
2. If we send him to the US for trial it sends a strong message to the rest of the world that our own legal system is insufficient to deal with certain cases, and more importantly, that we look upon the US as a superior force to us, and we are considering sending Gary there under pressure from the US legal system.
3. Gary may have been wrong in his means, but in the end his goal was right. The US authorities have been at the top of the Extra-Terrestrial Intelligence truth imbargo for decades, and have consistently held back other world governments from revealing full disclosure to the people of the world. **The actions of the military industrial complex, and their covert actions and staggering black budget, are CRIMINAL and so the people responsible cannot hide behind the law when good people take it upon themselves to find out the truth to help humanity.** Note the recent spate of UFO sightings around the world reported in mainstream media. This is a profound reality and we need to address the higher issues at stake here.
4. Gary has a medical condition and the chances of him surviving a sentence in a US prison are non-existent. An extradition and subsequent prison term in the US would effectively mean the UK government has allowed a death sentence to be imposed upon one of it's own citizens, merely so the corrupt authorities in question can make an example of him, with trumped up charges. This is unacceptable in a post dark-age society. Why are we still not honest and responsible enough as a civilization to look into the real heart of these matters?
5. The global authorities and their close affiliations with super-rich fossil fuel mega-corporations and their vested interests, have colluded for decades to withhold technology and information from humanity which would have freed us from our Earth-destroying dependence on oil and other polluting fuel sources. The real issue here is not that any one man should be guilty of trying to free the world from this tyranny, but that **the eyes of humanity should be focused intently upon these few global tyrants who have lied to humanity, committed genocide, and are continually responsible for the death and destruction of our Earth's biosphere.** How can people be expected to sit back and DO NOTHING about this mess, I ask you?

So as you see, there are bigger issues at stake here, and an ever-growing mass of enlightened and awakened people are starting to see what is really going on. The British government, in this case, can either try to continue with the old paradigm which is already, by it's very nature, doomed in the larger picture of the evolution of mankind, OR we can set a precedent and be at the forefront of a new and just paradigm with a higher vision for the future of our World.

Gary McKinnon was inspired to his actions by the findings and testimony of the members of www.disclosureproject.org. If you haven't already looked into this, I recommend and implore you to look and see the reality here. Humanity will only be tread upon for so long before masses of individuals take it upon themselves to circumnavigate the monolithic stalemated bureaucracy and immense self-serving corruption, in order to get to the truth, to help the people of the world, and our world itself escape from the perilous stranglehold of deceit.

[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 4:19 PM
To: extradition.review
Subject: Gary McKinnon

Sir,
Gary was on British soil during the incidents in question, and we have our own Common Law system to deal with any crimes on British soil.
If we allow America or any other country to demand extradition of British people for supposed crimes they have committed in Britain, we are betraying them and our own legal system.
When are our politicians going to start looking after us?

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 4:39 PM
To: extradition.review
Subject: Extradition of Gary McKinnon

Dear Sirs,

If Gary McKinnon committed any crimes, then they were committed in the UK, and he is a British Citizen.

Thus he should be tried in the UK, where all his defence materials are located.

Anything else is tantamount to an admission that the UK is incapable of holding a fair trial, and/or incapable of the proper administration of justice, and/or that he is not entitled to present a defence as he sees fit. His accusers will have little problem in obtaining UK-based representation for any case they may have against him.

This idea that people can be extradited to foreign countries without even a prima facia case being presented is outrageous, offensive, dishonourable, and disreputable. Our ancestors fought, and in many cases died, to ensure that this sort of thing could never happen in the UK. What is the point of honouring their memory at the Cenotaph each year, when we undermine everything they fought for during the rest of the year?

Yours sincerely,
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 11:23 PM
To: extradition.review
Subject: My views on extradition

Rt Hon Sir Scott Baker,

The main issue, I believe, with extradition is that of the lack of evidence requesting countries are required to provide to prove an allegation. Further to this, any defendant should hold the right to challenge any case or evidence held against him - not behind closed doors, but for the public to see in a BRITISH Court of Law.

It should not be legal for any country to request extradition without sufficient evidence and nor should subjects lack the right to defend themselves - no government is above basic human rights or laws. The fact that this is not already the case is absolutely disgusting. It holds a complete disregard to justice and civil liberties and I should hope your panel sees this too and makes a significant change.

Thank you

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 11:26 PM
To: extradition.review
Subject: No

The UK Extradition Act 2003 is disgusting. I vote no for it. When did the British start selling the British public to America? British courts for British people.

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[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 11:40 PM
To: extradition.review
Subject: Extradition Review

To the Rt Hon Sir Scott Baker

I have been invited to express my views; so here they are:-

The Home Secretary should have the power to stop an extradition, where there are grounds to do so.

On the matter of whether a crime allegedly committed in the UK should be tried here, I think technology is outrunning the law. For instance, were Gary McKinnon's activities conducted here, or in cyber-space? Wherever the alleged crime was committed, for the accused to be extradited should require compelling evidence against them.

I do not recognise the American criminal justice system, as it is notoriously corrupt and unjust and favours the guilty, the wealthy and those with white skin. I therefore do not support any extradition treaty with America. However, I believe that it is regarded as politically necessary to have one, in which case the rights and obligations on both sides must be equal and any extradition must be based on demonstrable evidence against the accused.

Thank you for your attention
Yours sincerely,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 18 November 2010 8:48 AM
To: extradition.review
Subject: Gary McKinnon

I am an IT Manager with 20 years in the business. There is massive support for Mr. McKinnon in the IT industry, most people seeing how unjust this case is. I'm sure you've heard all the arguments so I won't bother repeating them but if he is extradited the Americans will definitely sentence him unfairly and you will upset a vast majority of the UK public.

Do the right thing and don't make him a scape goat and a trophy for the American leaders to hide their shame of an inadequate IT defense system.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 18 November 2010 12:12 PM
To: extradition.review
Subject: Extradition review and Gary McKinnon

I am concerned that Gary McKinnon has been treated unfairly by the UK government

I feel that if he is to be tried it should be in the UK, and I believe the extradition treaty between the UK and the US is unbalanced and will not give him or others a fair chance

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 18 November 2010 3:07 PM
To: extradition.review
Subject: don't extradite Gary Mckinnon

Gary McKinnon should be tried in a British court, we should not be bowing to pressure from the Americans. We were once a proud nation, what happened to turn us into boot licking toady's. Do whatever is in your power to ensure that justice is done in the UK.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 18 November 2010 3:58 PM
To: extradition.review
Subject: Review of the UK's extradition arrangements

Dear Panel Members

I am responding to the invitation published by the Home Office on 8th November 2010 under the heading "Your views on extradition wanted."

I have several views, some of which have been published in the media.

In summary, I believe that:

1. The Home Secretary should exercise his or her power to stop any extradition on the basis of published, specific criteria. There should be consideration of the location of the alleged crime: a crime supposed to have taken place in a country using a computer system or network or internet facility located in that country ought not, in fact, to be deemed automatically to have taken place in that country if the perpetrator was physically present in another country at the time the alleged crime was committed. Consideration of the matter should include whether justice could be served by recourse to civil action.
2. Where a crime is mainly committed in the UK, the person should be tried here.
3. The US-UK Extradition Treaty is unbalanced.
4. Requesting countries should be required to provide sufficient evidence to establish a prima facie case.

In connection with the above, I refer you to the well-known case of Babar Ahmed, who is in very long-term imprisonment pending extradition for reasons which include the allegation that, as he was a supporter of the Chechen militants who were engaged in combat against the armed forces of the Russian Federation, and as the US perversely and without proper justification had seen fit to designate those militants as "terrorists", he is ipso facto a supporter of terrorists, contrary to objective reality and rational thought. I am a long-term supporter of those same Chechen militants myself.

I refer you to the correspondence in the attachments and would ask you specifically to note the letter dated 27/8/2010 from Lady Neville-Jones, as the Minister responsible for extradition matters, addressed to my MP in which she states that the question of whether conditions in Supermax prisons breach the European Convention of Human Rights is a matter for the courts rather than the Secretary of State. I believe that to be unsatisfactory. It should be possible for HMG by legislation to prohibit the extradition of persons to a country where they will be incarcerated in inhumane conditions such as those in Supermax prisons operated by the United States. It is a question of doing what is right, you will of course appreciate.

Yours sincerely

[REDACTED]

P.S. I reproduce below my letter as it was published in the Financial Times on 30/6/2006.

A treaty unequal in execution and content, editorial today

With respect, it is not the lack of reciprocity that is the chief concern over the US-UK extradition treaty of 2003. A more fundamental consideration is that it is wrong in principle for this country to

hand over its citizens under extradition arrangements where there is no requirement for prima facie evidence that there is a case to answer. It is particularly wrong for the courts to rule that human rights considerations do not give grounds to refuse the US request. This is not solely because extradited individuals will probably be incarcerated for extremely lengthy periods while the cases are prepared for court hearings.

It must also be considered relevant that in recent times the American administration has routinely denied detainees in its custody access to courts, legal counsel and relatives; it has engaged in deceptions in order to subvert basic human rights protections and the rule of law, by moving detainees around and keeping them in secret locations; it has been involved in the secret transfers of detainees between itself and countries known to use torture; and it has unlawfully abducted individuals from other countries. Documented conduct towards prisoners of the US administration includes instances of treatment indistinguishable from torture.

Amnesty International wrote last year: "The USA's continuing penchant for secrecy in the field of detentions betrays a lack of genuine commitment to its international obligations on human rights and the rule of law."

This country must pay heed to its own standards. The extradition of three former investment bankers should now be urgently reconsidered.

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[REDACTED]

From: [REDACTED]
Sent: 19 November 2010 12:18 AM
To: extradition.review

Dear Sir/Madam,

I believe that the terms under which extradition takes place are unethical. Ethics have a major role in any field these, to the point where even animals have rights. I have heard of many innocent people being extradited with their honour and respect thrown out the window. I believe this is unacceptable. Everyone deserves proper investigation before being extradited and getting mixed up in all sorts of psychological and physiological stress. Thus, I would request for a change to be made in the Extradition law, so that innocent people's lives are not wasted. Please take into consideration how you would feel if it ever happened to you.

Yours sincerely,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 17 November 2010 9:15 PM
To: extradition.review
Subject: Extradition

My views are that British people should not be extradited to USA and that they should be allowed to stay in Britain to be tried in Court.

I also do not agree with an unbalanced extradition agreement with USA in which Americans are treated in a different manner to the way Britons are treated with regards to extradition agreements between the two countries.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 19 November 2010 8:24 PM
To: extradition.review
Subject: extradition

Hello, the following are just some of my views regarding the UK extradition act 2003:

"The UK Extradition Act 2003 allows the UK to extradite any individual to the US (& other designated countries) WITHOUT the need for the US to provide prima facie evidence to support the extradition request. The accused has no right to challenge any 'evidence' provided by the US in a British Court of Law"

I think the UK Extradition Act 2003 is completely illogical. the United kingdom is a Sovereign State in her own right and the United States and any political who is campaigning for this act should at least have the decency to acknowledge this. We as British citizens should not allow US foreign policy to dictate how we run our judicial system especially when it concerns the welfare and basic human rights of our fellow citizens. The British legal system should understand that it is innocent until proven guilty and we the British nation should challenge the US judicial system to see if they reciprocate a similar extradition act within the US.- Most civilized nations around the world would laugh at the prospect. Furthermore, as human beings we should have the right to defend ourselves whatever the circumstance and have the right to not only see the evidence that is being used against us but most importantly be able to challenge that evidence in a court of law.

[REDACTED]

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From: [REDACTED]
Sent: 20 November 2010 10:26 AM
To: extradition.review
Subject: Extradition Review

Dear Home Office,

I'm pleased you've given members of the public an opportunity to contribute to the debate on extradition. I am a student of Peace Studies and International Relations at Leeds Metropolitan University and I've also taken a semester of International Human Rights Law at the University of California Berkeley. Before I address each point of your list on the website I wanted to lay out my first two initial thoughts on the matter.

1) any agreement should be based on the concept of reciprocity, the UK should not sign any agreement that is unfairly weighted in it's favour or to it's detriment.
 2) that signing agreements with countries whose judicial systems are underdeveloped or based on principles other than freedom and the rule of law has the potential to undermine our system at home. To elaborate on this I do not necessarily think we should cancel agreements with countries whose laws are based on, for example, religion, just that we should consider our system as a more developed example and should make agreements on British judicial development and support with those countries, alongside any extradition agreement.

To address each point in turn:

- the Home Secretary's powers to stop extradition

The Home Secretary is a political actor and a representative of the people. She is not a legal professional (it occasionally may occur that the Home Secretary is indeed a legal professional but this cannot be relied upon) and in making decisions on extradition she is not part of the legal framework which constitutes our judicial system. It strikes me as unusual to give a politician such a power in our judicial system and there is potential for the Home Secretary to act in accordance with public demand. This would be extremely ill-advised. The public should not be able to overrule judicial decisions. Our judiciary is here to protect the minority against the majority so it should be the Supreme Court as the only domestic body that can stop an extradition.

- the operation of the European Arrest Warrant, which deals with extradition requests between European countries

The concept of reciprocity comes into play. I agree that Britain should cooperate with other European countries in the area of justice and security however when so many other European countries decide not to cooperate with us this becomes tainted. There should be a threshold, a percentage of compliers to any agreement of this sort, before it becomes active. We should also not agree to cooperate with countries who have not enacted and made use of the EAW.

- where a crime is mainly committed in the UK, whether the person should be tried here

This would depend on the nature of the crime and the nature of the punishment. We should also not be afraid to deem our methods of justice superior in this case. When a crime committed here is considered minor then we should strive to protect that person against the disproportionate response they might receive in their country of origin. I understand this is already in place in some circumstances, such as where we refuse to extradite in cases of torture or the death penalty. In furtherance of this I believe, to stay true to our ideological stance, we should refuse to extradite to countries that practice these methods at all.

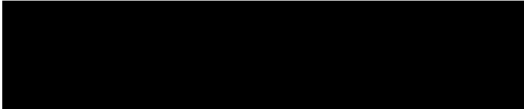
- whether the US-UK Extradition Treaty is unbalanced

This is a cause for extreme concern. Although I state previously that the Home Secretary should not interfere in the extradition process this is an example of an extremely one sided treaty with little or no benefit to the UK other than in diplomacy with the US, I would encourage her to review this as a matter of urgency. I can also reliably state that any recalibration of this law to a more balanced version will meet with strong public support. This treaty defeats many of the objects of British justice. It allows for British people to be tried for acts, performed in Britain and legal in Britain, in the United States, effectively granting the US universal criminal jurisdiction over British subjects. This severely undermines the supremacy of the British and European judiciaries which the British people and Government are accountable to.

- whether requesting countries should be required to provide sufficient evidence to prove an allegation Prima facie should remain as the central object around which any extradition case is based. This is partly the problem with the US-UK treaty as it removes this, with no reciprocity. Although in the case of the EAW there is less cause for concern as the highest authorities for all European citizens are the same institutions.

Thank you for giving me the opportunity to contribute, I would be very interested to see what role these contributions make in the process of debate and at what points they are considered. Any guidance on that would be very much appreciated.

Many thanks,



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[REDACTED]

From: [REDACTED]

Sent: 20 November 2010 10:41 AM

To: extradition.review

Subject: Gary Mckinnon and the UK's extradition arrangements.

I wish to express my support for the campaign to prevent Gary Mckinnon from being extradited to the USA for trial where I am convinced he will not receive a fair trial given the US public's paranoid and unbalanced attitude to anything relating to "homeland security".

Also I support the Home Secretary's review of our extradition laws which are wholly inappropriate for and inimical to our democracy. The US part of it is too one-sided and greatly favours the USA. Either it must be balanced with matching reciprocal arrangements - which I doubt will be granted by Congress - or it is abandoned. Any application for extradition must be supported by the strongest evidence to support the application. If not so supported then no British citizen should be sent abroad for trial. The sooner this unfair and unbalanced piece of legislation is amended or repealed the better.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 20 November 2010 1:06 PM
To: extradition.review
Subject: Gary McKinnon

This is intended to support British citizen Gary McKinnon, who is facing "fast track" extradition to the USA (after over ~~five~~ ~~six~~ seven years since his initial arrest !). Gary was indicted by a US court in November 2002, accused of "hacking" into over 90 US Military computer systems from here in the UK. The unjust treatment of British citizens (and others) when facing the might of the US Military "justice" system, which practices detention without trial in Guantanamo Bay and elsewhere, and stands accused of making use of torture by allied regimes ("extraordinary rendition") is an ongoing scandal. It cannot be excused even by a "war on terror". It seems only just that Gary should face any charges in a British court, and to serve any sentence, if he is found guilty, in a British prison.

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[REDACTED]

From: [REDACTED]
Sent: 20 November 2010 1:53 PM
To: extradition.review
Subject: #FreeGary

We are not North Americans so stop treating us as if we were. They do not have an adequate health system. They do not have a National Health System that can cope with mental illness.

They make mistakes.....are too dramatic.

Please ...please distance ourselves from them. After the wiki leaks they have only brought shame upon us.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 20 November 2010 1:59 PM
To: extradition.review
Subject: extradition laws

To whom it may concern:

My view on the extradition laws are that they're unfair because British citizens can be sent to the US without proof of the case against them. Too many innocent people are in prisoned for long periods of time at the cost of them. Even even worse if they are extradited to be treated unfairly under another countries laws with no means of justice.

Thank you.

[REDACTED]

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[Redacted]

From: [Redacted]
Sent: 20 November 2010 11:30 PM
To: extradition.review
Subject: Extradition laws

To whom it may concern,

I am writing to put forward my views with regards to the UK extradition laws. I strongly believe that the current extradition laws make Britain very hypocritical about our views on justice. I believe if a person is accused or found guilty of a crime, they should be tried in that country. There is no need for them to be extradited to a place where they have done nothing there. That goes against the whole concept of justice.

Further, there should be no question with regards to whether or not sufficient evidence should be provided to prove an allegation. How can one be tried without sufficient evidence, and more importantly, how can one be extradited when there is lack of evidence? Surely this makes Britain seem incredibly corrupt, deceitful and unjust. surely this makes us seem mendacious and unable to treat our residents with fairness? And the accused has no right to challenge any 'evidence' provided by the US in a British Court of Law? That is fair? Just? That is insane and incredibly intolerant and narrow-minded of British laws.

These extradition laws take away the very essence of what makes us British. They take away the meaning of justice from justice. They ridicule Britains 'justice' system. These extradition laws need to be dismissed.

I hope my comments will be considered when the extradition laws are reviewed, and I'd be extremely grateful if I could get a reply.

Warmest Regards,

[Redacted]

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From: [REDACTED]
Sent: 21 November 2010 12:58 AM
To: extradition.review
Subject: Appropriate use of extradition laws

I would like to express my disagreement with the treatment of Gary McKinnon with regard to his extradition to the U.S. for hacking related crimes.

Whilst I appreciate that the motivation of the laws was likely to improve the efficiency of identifying and prosecuting terrorists, I believe that it was highly inappropriate to apply the laws to someone who did not either have terrorist intentions, and who blatantly did not cause any genuine damage to the American's classified IT systems.

Although the incident was perhaps an embarrassment to the American government regarding their lax IT security, I believe that the attention drawn to the issue may have proven to be a benefit in the longer term by encouraging them to improve their IT security.

As an IT professional myself, and from what I have read about the case I cannot see any justification for the claims that Gary caused direct damage to their IT infrastructure. Also, it almost goes without saying that the sentence applied to Gary's case is in any way reflective of the crime committed.

The legal system is complex, and I won't pretend to understand it's nuances, but the morality of treating citizens of your own country as if they were expendable pawns in a political game of chess is unacceptable. All lives and interests of a countries' citizen's should be protected by their government in any modern democracy.

Be assured that by extraditing Gary McKinnon, you will be jeopardising the popularity of the current government by displaying a blatant disrespect for rights of UK citizens.

But of course, there is the question whether true power resides within the hands of those we elect.

Regards,

[REDACTED]

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