



# Home Office

## Policing Policy and Operations Directorate

Judicial Co-operation Unit

Extradition Section

5<sup>th</sup> floor, Fry Building, 2 Marsham Street, London SW1P 4DF  
Switchboard 020 7035 4848 Fax 020 7035 6986 Direct Line 020 7035 1258  
E-mail robert.mcmorran@homeoffice.gsi.gov.uk www.homeoffice.gov.uk

Ms Claire Simmons

Our Ref 15252

Your Ref

Date 19 July 2010

Dear Ms Simmons

### RE: FREEDOM OF INFORMATION ACT REQUEST

Thank you for your email of 24 March requesting information about extradition between the United Kingdom and the United States.

I can confirm that the Home Office holds some of the information that you request; however, there is no duty to disclose information where the exemptions in the Freedom of Information Act apply.

There are two introductory points which we would wish to make. First, that a person's nationality does not, in itself, form a bar to extradition between the UK and the US. Accordingly, the nationality of someone subject to an extradition request is not always recorded.

Second, that as a matter of policy and practice, the Home Office will neither confirm nor deny the existence of an extradition request ahead of a person's arrest. The UK takes its international obligations seriously; and the purpose of that policy position is to avoid the possibility that a wanted person may learn of an extradition request ahead of his arrest and thus be afforded the opportunity to evade justice by absconding. In the context of this particular FoI request, however, we are satisfied that the information sought would not pose that risk. Accordingly and in an effort to answer your FoI request as fully as possible, we are prepared *exceptionally* to provide as much information as possible.

With these points in mind, I am able to disclose the following information.

**1. *How many US citizens have been extradited from the USA to the UK since the Extradition Act 2003 came into force?***

As mentioned previously, a person's nationality does not preclude extradition. What we can say, however is that as at 30 June 2010, of the 33 people extradited from the US to the UK pursuant to

extradition requests made since 1 January 2004 (when the Extradition Act 2003 came into force), three people are known to be US nationals or have dual citizenship.

**2. How many British citizens have been extradited from the UK to the USA since the Extradition Act 2003 came into force?**

**3. Of those (under 2, above) how many were for terrorist offences? And how many for alleged crimes occurring prior to 2003?**

As at 30 June 2010, 62 people have been extradited to the US pursuant to extradition requests made to the UK since 1 January 2004. Of these, 28 are known to be UK nationals or to have dual citizenship.

No UK nationals have been extradited to the US in respect of terrorist-related offences.

As the Extradition Act 2003 and the UK/US bilateral extradition treaty (which came into force in April 2007) both allow for requests to be made for conduct which occurred prior to the instruments coming into force, the date of the offence for which extradition is sought is not one of the fields recorded on our case database.

The reason why the Home Office cannot provide this information is because it would entail a manual examination of our files which would incur disproportionate cost. Under section 12 of the Act, the Home Office is not obliged to comply with an information request where to do so would exceed the cost limit.

**4. How many US citizens are currently facing extradition to the UK?**

As at 30 June 2010, two persons known to have US nationality are the subject of UK extradition requests.

**5. How many British citizens are currently facing extradition to the USA?**

**6. Of those (under 5, above) how many pending extradition requests are for terrorist offences? And how many for alleged crimes occurring prior to 2003?**

25 US extradition requests made to the UK since 1 January 2004 are currently under consideration.

Of these 25, 11 are known to be UK nationals or have joint UK citizenship. Four of these are sought in connection with terrorist-related offences.

The Extradition Act 2003 and the UK/US bilateral extradition treaty (as amended following the entry into force of the EU-US extradition agreement) both allow for requests to be made for conduct which occurred prior to the instruments coming into force. Accordingly the date of offence for which extradition is sought is not recorded centrally.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting your complaint within two months to the below address quoting reference **15252**:

Information Rights Team  
Information Management Service  
Home Office

4th Floor, Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

Email: [info.access@homeoffice.gsi.gov.uk](mailto:info.access@homeoffice.gsi.gov.uk)

During the independent review the department's handling of your information request will be reassessed by staff not involved in providing you with this response. Should you remain dissatisfied after this internal review, you will have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

I hope this information is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Rob McMorran', written over a horizontal line.

Rob McMorran  
Extradition Section

