
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 50

EXTRADITION

EXTRADITION UNDER PART 2 OF THE EXTRADITION ACT 2003

Preliminary hearing after arrest

50.9.—(1) This rule applies where a defendant is first brought before the court after arrest under a warrant to which rule 50.8 applies.

(2) In the following sequence, the court must—

- (a) explain, in terms the defendant can understand (with help, if necessary)—
 - (i) the content of the extradition request, and
 - (ii) that the defendant may consent to extradition, and how that may be done and with what effect;
- (b) arrange for an extradition hearing to begin—
 - (i) no more than 2 months later, or
 - (ii) if either party so applies, at such a later date as the court decides is in the interests of justice;
- (c) consider any ancillary application, including an application about bail pending the extradition hearing; and
- (d) give any direction as is appropriate to the needs of the case about the introduction of evidence at the extradition hearing.

[Note. See sections 72 and 75 of the Extradition Act 2003(1).

Under section 127 of the 2003 Act(2) a defendant's consent to extradition must be given before the court, must be recorded in writing, and is irrevocable. Consent may not be given unless the defendant has a legal representative with him or her when giving consent, or the defendant has failed or refused to apply for legal aid, or legal aid has been refused or withdrawn.

Part 14 contains rules about bail.]

(1) 2003 c. 41; section 72 was amended by paragraph 16 of Schedule 13 to the Police and Justice Act 2006 (c. 48).

(2) 2003 c. 41; section 127 was amended by paragraphs 62 and 64 of Schedule 5 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).