



BATTEN IN BRUSSELS

HOW OUR ANCIENT FREEDOMS HAVE BEEN TAKEN AWAY BY THE EU

"A British citizen can be sent to another EU member state with all the ceremony of sending off a parcel."

OUR ancient freedoms and liberties are passing away as our legal system is "harmonised" with those of the European Union. This is being done without so much as an acknowledgement, let alone a protest, from our political and media classes. The means to do this take the form of devices such as: The European Arrest Warrant; Trials in Absentia; the European Evidence Warrant; and extended powers of immunity for Europol

The European Arrest Warrant was introduced in 2004, it has reduced extradition procedures to a mere formality. There are thirty-two categories of offences for which a suspect may be extradited. Some of these are not even specific offences in English or Scottish law: for example, "corruption, swindling, xenophobia and sabotage". Some might take the view that some of our representatives in both Houses of Parliament are corrupt swindlers, but they have not necessarily committed a criminal offence.

Xenophobia is defined in my dictionary as "intense fear or dislike of foreigners or strangers". Could someone be extradited for displaying the symptoms of a mental disorder? It seems so. Perhaps I should be worried about "sabotage" which my dictionary defines it as "deliberate subversion of a plan or project" since my entire political career has so far been built on a deliberate attempt to sabotage the great European Union project.

"Aha - scaremongering nonsense" I can already hear the Europhiles replying. But the point is that any EU member state requesting extradition is not required to provide any prima facie evidence about the alleged offence to the court examining the EAW. The court has no right to see or examine prima facie evidence in order to satisfy itself that there is a proper case to answer. Its job is merely to ensure that the boxes on the form have been completed correctly. A British citizen can now be sent off to another EU member state with all the ceremony of sending a parcel.

Since 2004 one hundred and one British citizens have been extradited to EU member states. What were their

crimes? What was the evidence against them? Who knows? Certainly not the magistrates' courts that agreed to their extradition because they have no right to see the evidence against them. The new EU rules and the harmonisation of our legal systems are more important than ensuring that justice is done.

And more is to come. Earlier this year Britain was one of seven EU countries proposing a "Framework Decision on the enforcement of legal decisions in absentia". This was voted for by the European Parliament and subject to a final decision by the European Council (Heads of Government) will become law in due course. What this means is that a British citizen can be tried, convicted and sentenced in a foreign court without their presence being necessary, and if found

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guilty they will be subject to extradition to that country. They will then find themselves in the position not of defending their innocence but in trying to chart a course in whatever retrial or appeal systems exist under the legal system of that country.

This "mutual recognition" of legal decisions also includes the confiscation of assets and the collection of fines; and this is not just in relation to serious criminal offences but includes the collection of fines goes down to the level of €70 traffic offences. The British government has itself gladly agreed that it will collect fines from its citizens for other EU member states. Bear in mind of course that this unbelievable act of trust by our Government in the legal systems of foreign countries extends to all EU member states including such paragons of corruption as Rumania and Bulgaria.

The European Evidence Warrant is a

continuation of the EAW. The aim is to "facilitate the collection of cross-border evidence and enhanced cooperation between Member States in criminal matters".

Under the EEW an issuing Member State will require the receiving state to do various things, including: conduct interviews with suspects and witnesses; carry out bodily examinations and obtain biometric data, including fingerprints and DNA; obtain information such as the interception of communications and monitoring of bank accounts; and collect evidence such as objects, documents and data.

Europol, the EU's nascent police force, was recently granted extensions to its immunity by the European Parliament. Europol already enjoys immunity for anything that its officers may do or say in the course of their duties. This degree of immunity was something not enjoyed (at least not legally) even by the Soviet Union's NKVD at the height of Stalin's Great Terror. Britain is not a passive victim of the EU in these matters. Indeed the British Government has been a prime mover in making these things happen, especially in the case of mutual recognition of trials in absentia, where they were instigators of the legislation.

I would never suggest that we should be soft on genuine criminals and terrorists. But the law exists to protect the innocent as well as convict the guilty. Our tried and tested protections from arbitrary arrest and detention under the law are being systematically removed by our own government in collusion with the European Union.

A British citizen is now beyond the protection of the British legal systems when accused of a crime by another EU member state. In the words of the song, "you don't know what you've got 'til it's gone."

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