



Neutral Citation Number: [2024] EWHC 1025 (Admin)

Case No: AC-2023-LON-001031

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ADMINISTRATIVE COURT

Royal Courts of Justice
Strand, London, WC2A 2LL

Wednesday 1st May 2024

Before:
FORDHAM J

Between:
BARTOMIEJ GLANDA **Appellant**
- and -
POLISH JUDICIAL AUTHORITY **Respondent**

The **Appellant** in person
The **Respondent** did not appear and was not represented

Hearing date: 1.5.24
Judgment as delivered in open court at the hearing

Approved Judgment

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

FORDHAM J

Note: This judgment was produced and approved by the Judge, after using voice-recognition software during an ex tempore judgment.

FORDHAM J:

1. The Appellant is aged 29 and is wanted for extradition to Poland. He has appeared today in person, on a video link, with an interpreter. He is asking me for permission to appeal. He was convicted in Poland of offences committed in August 2016, when he was 21 years old, including rape and threats to kill. He was present at some of his hearings in Poland and absent but represented at others. He was convicted and sentenced to 3 years 3 months imprisonment. He then mounted two successive appeals which were dismissed. He came to the United Kingdom having been convicted and sentenced.
2. The Appellant has made various points orally today. He says he was not fairly convicted. The evidence did not support a conviction. There was great and key evidence, and that is why he appealed, first to the second tier, and then to the highest court in the land. He feels that the Polish courts are not independent. He felt he was a victim on injustice and that is why he absconded. He says he still feels like a victim. His very supportive family and friends are here. He has been working here, with a normal life. He is fighting extradition, and he has written to various authorities. He says the ombudsman is looking into his case. He still regards himself as a victim and hopes the ombudsman will help him.
3. When District Judge Tempia ordered extradition, she said there was no basis on which the Appellant could resist it. It could not be concluded that there had been a “flagrant denial” of the right to a fair hearing. Extradition proceedings are not an appeal against conviction. The Appellant has had his two appeals in Poland, to test the safety of the conviction, including in light of points about the evidence. The extradition test of “flagrant denial” of justice is a very high threshold. There is no evidence before me capable of showing it is met. The independence of the Polish courts has been addressed in test extradition cases and there is no viable legal point about that either. There is no basis for resisting extradition because the ombudsman is said to be looking into the case.
4. The Judge also found that extradition would not violate any person’s Article 8 ECHR rights. The Appellant had come here as a fugitive. There was no significant passage of time in pursuing him. True, the Appellant has no other convictions. But there are strong public interest considerations in favour of extradition. There are limited family ties, with a sister and brother in the UK. There are still (calculated as at today) some 16 months to serve, taking account of qualifying remand. This appeal has no realistic prospect of success. The points which I have mentioned are not arguable grounds of appeal. There is no other viable point in the case. The Judge was plainly right. I agree with Johnson J who, on 29 September 2023, refused permission to appeal on the papers. Permission to appeal is therefore refused.