



Neutral Citation Number: [2023] EWHC 2858 (Admin)

Case No: CO/4304/2022
AC-2023-LON-003250

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

Royal Courts of Justice
Strand, London, WC2A 2LL

Tuesday, 14th November 2023

Before:
FORDHAM J

Between:
VOJTECH DRAHONSKY
- and -
DISTRICT COURT OF USTI NAD LADEN
(CZECH REPUBLIC)

Appellant

Respondent

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

Hearing date: 14.11.23

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. Prior to their application to come off the record the Appellant's previous solicitors filed a Notice of Renewal. It informed the Court that the Appellant did not believe the proper consideration was given to his Article 8 arguments at his original hearing in this case. Through the interpreter today, the Appellant has confirmed that he has nothing to add.
2. The Appellant had been represented by Counsel at the original hearing. That was before DJ Robinson ("the Judge"). On his behalf, Counsel had raised an Article 8 argument. That was based on the following: the Appellant's personal circumstances; and, in particular, his periods in the UK; during which time he had worked hard; and his continued commitment and success to remain drug-free.
3. Having read the Judge's careful and clear judgment, I have no doubt that Article 8 was fully and fairly considered. One-third of the Judge's 12-page judgment is devoted to Article 8. The balance sheet exercise was conducted, and a decisive outcome was arrived at.
4. The Appellant is aged 38 and is wanted for extradition to the Czech Republic. That is in conjunction with an Extradition Arrest Warrant. It was issued on 1 March 2022. It was certified on 31 March 2022. He was provisionally arrested on it, the day before: 30 March 2022. He has been on qualifying remand ever since then.
5. The index offences were commercial burglaries. They involved equipment taken from a warehouse. That was on 21 and 22 February 2020. The Appellant was sentenced to a 28 month prison sentence in the Czech Republic. But that is not yet in force. It is subject to appeal rights. The Judge treated the Extradition Arrest Warrant, in all the circumstances, as being an 'accusation' warrant.
6. The Judge found as a fact that the Appellant had come to the UK in November 2020, to avoid the criminal proceedings in the Czech Republic, of which he had been well aware, having been personally served with a prosecution decision and also then with a summons. The Appellant had 9 previous convictions in the Czech Republic. They were between 2003 and 2019. He was in the UK for 16 months prior to his arrest and remand. He was here as a single man with no partner or children.
7. The Article 8 outcome is clear-cut. That is notwithstanding the 7 months of qualifying remand at the time when the Judge ordered extradition; which was 13 months of qualifying remand in May 2023 (that was when Sir Duncan Ouseley refused permission to appeal on the papers); and which is 20 months qualifying remand as at today. The factors weighing in favour of extradition decisively outweigh those capable of weighing against extradition. It would not be appropriate to grant permission to appeal, solely to allow further qualifying remand to 'clock up' in the Appellant's favour. That is for reasons that I explained in another case: Molik v Poland [2020] EWHC 2836 (Admin).
8. The application for permission to appeal is dismissed.

14.11.23