



Neutral Citation Number: [2024] EWHC 2380 (Admin)

Case No: AC-2024-LON-000753

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

Thursday 19th September 2024

Before:
FORDHAM J

Between:
LUKASZ SROCZYNSKI **Appellant**
- and -
POLISH JUDICIAL AUTHORITY **Respondent**

George Hepburne Scott (instructed by Bark & Co) for the **Appellant**
Kiera Oluwunmi (instructed by CPS) for the **Respondent**

Hearing date: 19.9.24

Judgment as delivered in open court at the hearing

Approved Judgment

FORDHAM J

Note: This judgment was produced and approved by the Judge.

FORDHAM J:

1. Having considered the position afresh with the advantage of written and oral submissions, I have arrived at the same conclusion as did Heather Williams J when refusing permission to appeal on the papers. There is no realistic prospect of the Appellant's Article 8 ground for resisting extradition succeeding at a substantive hearing. District Judge Bristow unassailably found that the Appellant came to the UK in October 2018 (aged 33) as a fugitive from the 2-year custodial sentence, originally suspended and known to have been activated for knowingly failing to comply with probation contact conditions. That was a sentence imposed for the 85 drugs possession offences (cannabis, amphetamine and MDMA) and 4 drug supply offences (cannabis) which he had committed (aged 23 and 24), between March 2008 and February 2009. He was convicted in 2017. The passage of time – although it can be considered in an Article 8 context – does need to be seen in the context of the proceedings against co-defendants which the Appellant described to the Judge, and what he said about being away from Poland in the Netherlands and Germany between 2010 and 2017, and his fugitivity. In any event, the passage of time throughout, including since arrival in the UK, and including time on electronically-monitored curfew on extradition bail here since October 2023 – together with the other features capable of weighing against extradition – are plainly decisively outweighed by the strong public interest considerations weighing in its favour. The Appellant has a sister who is UK-based, and another sister, his mother and his two children (who live with his ex-partner) all live in Poland. His settled and productive private life here, including his employment, was built on precarious foundations. The proportionality balance struck by the Judge was not only plainly open but plainly right. I cannot therefore accept Mr Hepburne Scott's core submission and permission to appeal is refused.

19.9.24