

The European Arrest Warrant – an expert's opinion

We have frequently emphasized the importance of ending our participation in the European Arrest Warrant (EAW) if Brexit is truly to mean Brexit.

Jonathan Fisher QC produced this comprehensive summary of the EAW in 2014, when Parliament was debating whether to opt back in to 35 criminal justice measures contained within the Lisbon Treaty after obtaining an opt-out four years earlier.

As readers will know, Theresa May, then Home Secretary, led the ultimately successful campaign for us to opt in. However, Brexit provides us with welcome opportunity to reconsider this ill-advised decision.

The issue may be taken out of our hands as the EU has already suggested that we may not be able to be part of Europol on Brexit and our exclusion may stretch to include the EAW as well.

We cannot, however, take this for granted so it is in our interest to continue to campaign against the EAW and this means informing ourselves as best we can about this iniquitous scheme. Mr Fisher's document is a very useful resource in this regard. In particular, it has pointed out how it conflicts with our historic liberties under Common Law. For instance, **"the EAW does not sit happily with the fundamental principles which underpin *Habeas Corpus*."**

As Archbishop Desmond Tutu pointed out on the BBC *"Today"* programme on 16th February 2006, *Habeas Corpus* is such an incredible part of freedom" Unshackling ourselves from the EU will therefore be compromised if the freedom-threatening European Arrest Warrant is allowed further to menace UK citizens on independence.