

THE UNITED STATES OF AMERICA

Appellant

-v-

JULIAN ASSANGE

Respondent

PRONOUNCEMENT

Upon considering the written representations lodged by the Respondent in respect of an application under section 1(2) of the Administration of Justice Act 1960 for a certificate that there were points of law of general public importance involved in the decision of this Honourable Court given on 10 December 2021 (and leave to appeal to the Supreme Court) together with the Appellant's objections and Respondent's reply:

IT IS ORDERED THAT

1. The Respondent's application to certify a point of law is granted;
2. The point of law certified is:

In what circumstances can an appellate court receive assurances from a requesting state which were not before the court of first instance in extradition proceedings.

3. The Respondent's application for leave to appeal to the Supreme Court is refused.

REASONS

The Respondent sought certification in respect of three points of law, the first of which centred on the circumstances in which an appellate court may receive assurances from a requesting state concerning the future treatment of a requested person if extradited. We do not consider that the second or third points raise certifiable points. So far as the first is concerned, although the law in this jurisdiction has long been settled it does not appear that the Supreme Court has considered the question. Assurances are at the heart of many extradition proceedings.

We refuse leave to appeal. Whether or not the issue needs ventilation in that court is a matter appropriately for its decision.

We would respectfully invite the Registrar of the Supreme Court to take steps to expedite consideration of any application for leave to appeal which follows.