

## GARRY MANN

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*"I have been let down by the politicians that agreed to the UK's rigid extradition laws and the European Arrest Warrant, and the judges who no longer seem willing to stand up for justice. I am not the first victim of this system and, until it is reformed, I won't be the last."*

### **Garry Mann, shortly before his extradition**



### **Summary**

Garry Mann, a former fireman from Kent, was extradited to serve a 2 year prison sentence imposed following a trial in Portugal in 2004, described by a UK court as “so unfair as to be incompatible with [his] right to a fair trial”.

Garry was arrested in Portugal in 2004 where he was attending the Euro 2004 football tournament. He was tried and convicted in the space of 48 hours for involvement in a riot. A British police officer present at the trial described it as a “farce”. Garry had no time to prepare a defence and standards of interpretation were grossly inadequate. The UK courts have repeatedly recognised the serious injustice in his case but said they were powerless to stop Garry’s extradition after his arrest under a European Arrest Warrant, despite a senior UK judge describing the case as an “embarrassment.”

### **Background**

In 2004, Garry Mann, a fireman and father of six from Kent, went to Portugal to watch the European football championship. According to Garry, he was with friends in a bar in Albufeira when a riot amongst English football supporters broke out in a nearby street.

Garry was arrested on 15 June 2004, along with several other football supporters, and charged with causing a riot. In less than 24 hours he was arrested, tried and convicted under a temporary fast-track procedure set up ahead of the championship to combat football hooliganism. He was unable to instruct a lawyer and unable to understand or participate in the proceedings due to poor quality of translation provided. The Portuguese authorities state that he was sentenced to two years’ imprisonment.

Garry reports being told the sentence would not be carried out on the condition that he accepted voluntary deportation back to the UK and did not return to Portugal for at least 1 year. On 18 June 2004 he voluntarily agreed to being deported. This also seems to be the understanding of the Home Office, whose spokeswoman told Sky News back in 2004, “The intent of the judge [of the Portuguese court] appears to have been to get Mr Mann out of the country rather than immediate imprisonment, stating that he would serve two years in custody if he returned to Portugal.”

Once he was back in the UK, the Metropolitan police applied for a worldwide football banning order against Garry, but in 2005 the Court held that, because he had been denied a fair trial in Portugal, the order would not be granted.

In 2009 Garry was astonished to be arrested on a European Arrest Warrant, alleging he was wanted in Portugal to serve a 2 year prison sentence. At his extradition hearings his lawyer argued that he should not be extradited to serve a prison sentence following a trial which one British court had already decided breached his basic fair trial rights: however the English court found it impossible to resist the Portuguese request and he was extradited in May 2010.

Garry was transferred back to the UK in May 2011, after spending a year in a Portuguese prison and served several months in a British prison. Finally in August 2011, Garry was released.



## Fair Trials Concerns

- **Unfair Trial:** Garry had inadequate legal representation and was given no opportunity to prepare a defence or to instruct a lawyer. The trial proceedings were not adequately interpreted meaning that Garry could not follow or participate in the trial.
- **European Arrest Warrant:** In practice, the European Arrest Warrant system as interpreted leaves no scope for the British courts to prevent an extradition even where, as in this case, it would lead to clear injustice.

### What you can do to help

**Raise the profile:** You can write to the following to express your concerns about the case.

- Home Secretary, Rt Hon Teresa May MP (2 Marsham Street, London SW1P 4DF)
- Secretary of State for Foreign & Commonwealth Affairs, Rt Hon William Hague MP (King Charles Street, London SW1A 2AH)
- Justice Minister, Rt Hon Kenneth Clarke (102 Petty France, London, SW1H 9AJ)H.E.

**Campaign:** Find out more about our Justice in Europe campaign and call on your MP or MEP to take action on the European Arrest warrant

**Donate to our work:** FTI does not charge for its services and relies on your support to help hundreds of people just like, Garry and his family. You may also wish to consider organising your own fundraising events. We are always happy to hear what people are doing to raise funds.

**Inform others:** Tell colleagues, friends and family about this case and how FTI works for a world where every person's right to a fair trial is respected.