**2024 Pupillage Application Legal Question**

Mr Smith is a British citizen whose extradition is sought to the USA under the Extradition Act 2003 to face allegations of serious fraud. The extradition of Mr Smith’s business partner, Mr Jones, is also sought but he is not a British citizen. The two men are represented by the same solicitors. The solicitors are in the process of challenging extradition and wish to advance a case before the High Court which includes arguments predicated on a breach of Article 6(1) of the European Convention on Human Rights (ECHR). In summary, the solicitors wish to invoke the procedural guarantees set out in Article 6(1) because of the effect of extradition on the rights to live in the UK enjoyed by the individuals (in Mr Smith’s case the right of abode enjoyed by all British citizens). However, the solicitors are concerned not to waste time and/or valuable funds pursuing arguments which have no prospects of success.

You are therefore asked to advise on the following specific issues, providing concise reasons for your views:

1. Is the High Court likely to accept that Article 6(1) ECHR applies to proceedings concerning the extradition of a British citizen?
2. Is the High Court likely to reach the same conclusion in respect of proceedings concerning the extradition of a non-British citizen?

**ENDS**