

Ania Grudzinska (Member) Guernica 37

Called:

England and Wales (2005)

Qualified to accept Public Access instructions



Introduction

Ania is an experienced and tenacious barrister who has substantial experience in extradition, appeals, criminal law and road traffic law.

Ania has been instructed in both Part 1 and Part 2 extradition matters. She is solely a defence practitioner and represents clients at Westminster Magistrates Court and in the High Court on appeal.

Ania has been instructed in an array of extradition matters involving arguments concerning human rights and complex technical arguments stemming from both the Extradition Act 2003 and its predecessor. The cases in which Ania has been instructed in are often ones of the utmost gravity, including murder, rape and other sexual offences as well as trans-national criminality such as trafficking of people or narcotics. She has also been involved in some high-profile cases which have been widely published in the press.

Additionally, over time, Ania has developed a significant following in the Polish community and is proud to apply her legal knowledge and experience in extradition and criminal law in that sphere.

In recent years, Ania has generated a network of fellow extradition lawyers practising in Poland, as well as other

countries, with whom she works in order to try to provide the best solutions for her clients.

Ania also has experience in advising on prisoner transfer issues, s21B requests and Interpol Red Notices.

Current work

Westminster Magistrates Court

France v A

Requested person sought by the French Judicial Authority in respect of the manslaughter of immigrants who died on a dinghy boat in 2021. Ania raised various technical arguments to challenge the warrant, including whether there had been a decision to charge or try pursuant to s12A of the Extradition Act 2003.

Poland v K

Requested person sought by Poland from the Isle of Man, meaning the Extradition Act 1989 applies to this case making this a more complex case than most of the Polish requests.

Germany v N

A request from Germany for a person who is sought to serve an indefinite hospital order. This is a particularly interesting case since there had only been one like it which was considered before the Trade and Cooperation Agree-



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ment became applicable from 1st January 2021. Issues under s2 of the Extradition Act 2003 arise as to the meaning of “detention order”. A unique argument in relation to the requested person’s mental health has also been raised.

Poland v B

The requested person was discharged on the grounds that her and her children’s article 8 ECHR rights would be infringed, as a sole carer of three children. The sentence which would otherwise have been outstanding in the requesting state was one of two years’ imprisonment.

Lithuania v I

Ania has been successful in persuading the Lithuanian authorities to interview her client, a British citizen accused of smuggling drugs, by way of video link in London in order to try to compromise the warrant.

High Court

Poland v T

The Appellant was successful in her appeal under s25 of the Extradition Act 2003 due to her dire health condition. Two reports were obtained in the High Court and the Judge directed the requesting authority to provide further information to confirm that they would be able to treat the Appellant in a custodial setting. The requesting state confirmed that they would not be able to care for and treat the Appellant given her particular needs.

RG v Portugal

A case which has spanned nearly three years involving the relationship between the Appellant’s and his son’s article 8ECHR rights as a sole carer in the context of parallel Family Court proceedings. Whilst the appeal was

dismissed nearly a year ago, Ania has made successful applications to stay the order for the Applicant’s extradition to date in order to await the outcome of his Family Court proceedings.

C v Romania

Ania drafted perfected grounds of appeal which led to permission to appeal being granted in respect of both re-trial rights pursuant to s20 of the Extradition Act 2003 as well as article 8ECHR.

S v Poland

Ania was successful in the appeal of a person sought by a Polish Judicial Authority in respect of a £50,000 fraud with a one-and-a-half-year sentence outstanding. The appeal was allowed on article 8ECHR grounds, particularly on account of the Appellant’s repayment of the damage as well as his partner’s mental health problems.

Hungary v R

This case concerns the opposing of extradition on grounds of health. The requested person has very complex medical needs and Ania has advised on the instruction of the most appropriate medical experts to provide reports in this case

W v Poland

Permission was granted in respect of a requested person accused of historic rape. Ania also applied for an anonymity order for the requested person’s name to not be published. She argued, on appeal, that the requested person, would be at a substantial risk of suicide if returned to the requesting state. Following the dismissal of the appeal, Ania made an application for leave to appeal to the Supreme Court and drafted questions of law of general public importance..

Ireland v O

Ania obtained permission to appeal in respect of a case involving a client who was at a substantial suicide risk if extradition were ordered. The client had been sought in respect of serious historic sexual offending.

P v Poland

Ania is currently representing a client with significant mental health conditions who is unfit to plead.

B v Poland

Ania is currently representing a client who is sought to serve a 12 year sentence. Ania has worked meticulously and diligently through a large volume of papers. She liaised with a Polish lawyer and constructed an argument under s20 of the Extradition Act 2003 in light of a new law in Poland in respect of service of documents.

Previous experience

Over the years, Ania has worked on numerous extradition requests, including Part 2 requests from the USA, Canada and India. In addition, she has continued to represent clients from Part 1 countries, as part of her busy practice.

Previously, Ania has had substantial experience appearing before the Crown Courts in criminal trials and appeals in relation to a wide range of criminal conduct.

Education

Inns of Court School of Law – Bar Vocational Course – 2004 to 2005

University of Edinburgh - LLM European Law – 2002 to 2003

Oxford Brookes University – BA (Hons) Law and French Language and Literature – 1998 to 2002

Memberships

Bar of England and Wales

The Honourable Society of the Inner Temple

Defence Extradition Lawyers' Forum

Appointments

Pupil Supervisor

Maternity Mentor for the Bar Council Mentoring Scheme

Publications

www.polishbarrister.co.uk

www.polskiadwokatuk.co.uk

Expertise

Extradition & Mutual Legal Assistance

Appeals

Crime

Road Traffic Law

Languages

English (Native)

Polish (Native)

French (Conversational)



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