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IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT  
[2022] EWHC 1587 (Admin)



No. CO/833/2022

Royal Courts of Justice

Thursday, 17 March 2022

Before:

THE HONOURABLE MR JUSTICE CHAMBERLAIN

B E T W E E N :

VILKANAUSKAS

Applicant

- and -

LITHUANIAN JUDICIAL AUTHORITY

Respondent

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MR G. HEPBURNE SCOTT (instructed by Bark & Co) appeared on behalf of the Applicant

MR t COCKCROFT (instructed by Crown Prosecution Service Extradition) appeared on behalf of the Respondent

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**J U D G M E N T**  
**( V i a M i c r o s o f t T e a m s )**

MR JUSTICE CHAMBELAIN:

- 1 Arunas Vilkanuskas applies to this court for bail pursuant to section 22(1A) of the Criminal Justice Act 1967.
- 2 The applicant is sought by Lithuania pursuant to a European arrest warrant (an “EAW”) issued on 24 February 2017 and certified on 11 August 2021. The warrant seeks his surrender for trial on four counts of acting with others to promise jobs to persons in Lithuania and then exploiting and controlling them on arrival.
- 3 The offences are said to have been committed between 2012 and 2013. Two counts carry a maximum sentence of 10 years’ imprisonment each and two carry a maximum sentence of 12 years’ imprisonment each.
- 4 The applicant was arrested on suspicion of rape on 2 December 2021. Mr Hepburne Scott, who appears for him today, tells me that this has not been proceeded with yet, although he points out that the matter is currently under investigation.
- 5 The applicant was, however, arrested under the EAW on 5 December 2021. His extradition hearing is fixed for 6 July 2022. He has made three unsuccessful bail applications at Westminster Magistrates’ Court, the last on 10 January 2022 before District Judge Snow.
- 6 Mr Hepburne Scott says that the applicant settled in the United Kingdom in 2011 and has strong and longstanding roots here. He was extradited to Lithuania in 2015 for matters similar to those for which he is now sought. He then spent 11 months on remand in a Lithuanian prison before being discharged.
- 7 The applicant returned to the United Kingdom in 2016. He contests the charges now brought against him. He notes that there has been considerable delay and argues that the Lithuanian authorities should have sought to extradite him for these matters in 2015.
- 8 The applicant has a close relationship with his 14-year-old daughter, whom he supports financially. He cannot support her while in custody. He has been in a relationship with a woman for over a year and has a strong bond with her eight-year-old daughter. There is a statement from this partner to the effect that he is a father figure to her daughter and actively involved in her life. Extradition would cause emotional harm to his partner and to her daughter.
- 9 Mr Hepburne Scott invites me to grant bail, subject to conditions that the applicant live and sleep at an identified address in Peterborough, pay security of £5,000 pre-release and be subject to an electronically monitored curfew between 11 pm and 4 am.
- 10 Because he is sought pursuant to an accusation warrant, there is a presumption in favour of bail. In my judgment, however, this presumption is firmly displaced on the facts of the case. Evidence from the officers who arrested the applicant on 2 December 2021 establishes that the applicant had registered and insured a high-value vehicle in a false name, was found on arrest in possession of two identification cards in a false name and was living in a house registered to another person. The officer indicates that she had been trying to locate the applicant since October 2020 and that this was one of the most difficult searches she had had to conduct.
- 11 These facts, taken together with the fact that the applicant is now sought for trial in respect of offences carrying substantial maximum terms, establish that there is a significant risk that

the applicant would fail to surrender if bailed. Given the seriousness of the offences for which he is sought and the evident fear which he feels of going back to Lithuania and possibly being imprisoned there, the conditions proposed would not adequately address the risk of absconding. That risk is unacceptably high, notwithstanding the material effect which continued detention will have on his daughter, his current partner and her daughter. I therefore refuse bail.

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**CERTIFICATE**

Opus 2 International Limited hereby certifies that the above is an accurate and complete record of the Judgment or part thereof.

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This transcript has been approved by the Judge.