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NOTE

From:	UK delegation
On:	26 March 2015
To:	General Secretariat of the Council

Subject:	Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention
	- Notification by the United Kingdom

Attached are the UK Declarations pursuant to Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention (OJ L 294, 11.11.2009, p. 20).

UK Declarations pursuant to Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention

Article 6(1) – Designation of competent authorities

In England and Wales

Any court that can currently make domestic bail decisions is competent to act under the Framework Decision as the issuing State. In England and Wales this is

- Magistrates court
- Crown Court
- High Court
- Court of Appeal

Magistrates courts are competent to execute applications issued in other Member States.

In Scotland

In Scotland any court that can currently make domestic bail decisions is competent as the issuing authority, namely:

- High Court
- Sheriff Court
- Justice of the Peace Court

The Sheriff Court can execute an incoming supervision order request received from another EU member State.

In Northern Ireland (NI)

Any court that can currently make domestic bail decisions is competent to act under the Framework Decision as the issuing State. In NI this is

- Magistrates court
- Crown Court
- County Court
- High Court
- Court of Appeal

Magistrates courts are competent to execute applications issued from other Member States.

In Gibraltar

Any Court that can currently make domestic bail decisions is competent to act under the Framework Decision as the issuing State. In Gibraltar this is:

Magistrates' Court of Gibraltar
The Supreme Court of Gibraltar
Court of Appeal

Article 7(3) – Recourse to a central authority

In England and Wales

England and Wales has designated a Central Authority which will be known as CARREUSO (Central Authority for the Reciprocal Recognition of European Supervision Orders). All communications with England and Wales pursuant to this Framework Decision should be directed to the address below:

CARREUSO@ hmcts.gsi.gov.uk

Contact details – Tel: - +44 020 3126 3029

Office opening times – Monday to Friday 9am to 4.30pm.

In Northern Ireland (N.I.)

For Northern Ireland the designated central authority is the Northern Ireland Department of Justice. All communications with Northern Ireland should be directed in the first instance to the Northern Ireland Courts and Tribunals Service at:

The Central Business Unit,
Northern Ireland Courts & Tribunals Service,
Laganside House,
Oxford Street,
Belfast
BT1 3LA

Telephone: 030 0200 7812

E-mail: cmlaganside@courtsni.gsi.giv.uk

Opening hours: 09.00 to 16.30 hours excluding public holidays.

In Scotland

A central authority has been designated to deal only with incoming requests from other Member States and that is the Scottish Court Service. The Scottish Court Service provides administrative support to Scottish Courts and to the judiciary of those courts.

The Scottish Court Service website <http://www.scotcourts.gov.uk/> can be used to identify which sheriff court a request should be sent to. Opening times for each court can also be found on the website. If it is not possible to identify which authority is the executing competent authority the request should be sent to:

Edinburgh Sheriff Court and Justice of the Peace Court Sheriff Court House
27 Chambers Street
Edinburgh
EH1 1LB

Tel: +44 0131-225 2525

Fax: +44 0131-226 6569

Email: Edinburgh@scotcourts.gov.uk

Web: <http://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>

In Gibraltar

The central authority designated within Gibraltar to deal with Supervision Orders is the Minister with responsibility for Justice.

HM Government of Gibraltar
Ministry of Justice
Suite 771
Europort
Gibraltar

Tel: +350 20068052

Fax: +350 20047677

Formal communications with the Gibraltar central authority should be addressed to the Minister with responsibility for Justice at the above address but sent via:

The United Kingdom Government Gibraltar Liaison Unit for EU Affairs
Foreign and Commonwealth Office
King Charles Street
London
SW1A 2AH
Tel.: +44 20 7008 1577
Fax: +44 20 7008 3629
e-mail: ukgglu@fco.gov.uk

Article 8 – Types of supervision measure

UK will accept measures within Article 8(1) [only].

Article 9 (4) - Declaration of conditions of forwarding a supervision measure

Adequate reasons must be provided. The validity/acceptability of these will be determined by the appropriate judicial authority: Magistrates courts in England, Wales and Northern Ireland; and the Sheriff court in Scotland.

In Gibraltar the magistrates' court must decide whether to recognise the decision on supervision measures. Please see regulation 11 and the Schedule to the European Supervision Order Regulations 2014.

Article 24 – Language in which applications will be accepted

English.
