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Media Release –

Mr Kim has won his appeal from extradition to China for an alleged homicide, it is a complicated 100 page judgment issued today by the Court of Appeal. A summary is found between paragraphs [271] and [278].

It is possible that the Crown might seek to appeal the Court of Appeal's judgment but given the fact that two of the Judges who issued the decision today, are now the Chief Justice, and the second one is a Supreme Court Judge, means any appeal is not without difficulties.

The lengthy judgment tackles the major human rights issues raised in terms of international human rights law, and NZ Bill of Rights Act, in a very friendly human rights way. It is a judgment that has profound human rights importance which will resonate through out the Common Law world, it is not just important in New Zealand.

The new Minister of Justice, Hon Andrew Little, will have a difficult if impossible task on the third occasion that a Minister of Justice has to consider Mr Kim's surrender to answer the profound and important questions posed by the Court of Appeal.

Mr Kim will of course wait with interest the Minister's new decision, particularly given the length of time the case has taken so far. The extradition request to New Zealand from the People's Republic of China for Mr Kim on suspicion of intentional homicide was made 25 May 2011.

He has been on electronic bail since 1 July 2016.

If you wish to speak to me please leave a message on my Wellington number (04) 473 1952, as I am in Boston, USA there is a time difference.

END



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