

# British student fights extradition to Greece

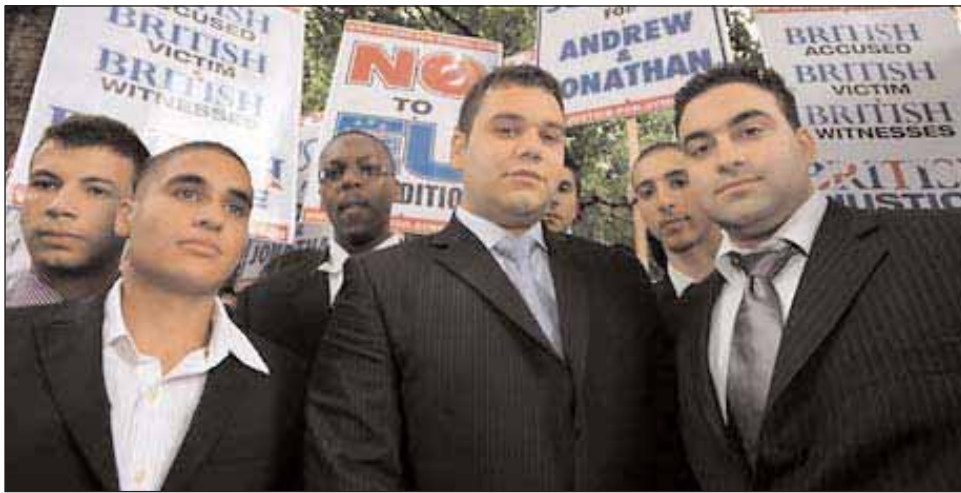
*A British student faces an extradition hearing this week that could see him sent to stand trial for manslaughter in Greece even though his case has never been considered by a British court.*

Andrew Symeou, 19, from north London, was arrested by British police on June 26 after Greek authorities issued a European Arrest Warrant.

The case has reopened a debate about the warrants, which were introduced without fanfare in 2002 and which allow any European Union citizen to be extradited to face trial in another EU country without evidence being heard in a domestic court.

Mr Symeou, who was remanded on £20,000 bail paid by his mother Helen, and had his passport seized, is wanted in connection with the death of another British holidaymaker, 18-year-old Jonathan Hiles from Cardiff, who died after an incident at the Rescue nightclub on Zante on 20 July 2007. He was allegedly punched, fell off a stage and cracked his skull when he hit the floor. Mr Symeou, a student at Bournemouth University, denies the charge and says he was not even in the nightclub until three hours after the incident.

Mr Hiles, 18, who had represented the Great Britain roller hockey team and played ice hockey for Cardiff Devils' junior team, was taken to hospital in Athens where he died on 22 July 2007. Mr Symeou, from Enfield, north London, has never been interviewed by Greek police. If he is extradited he could spend 18 months in Greece awaiting for trial for an offence that carries a maximum sentence of 20 years. The European Commission says the introduction of European Arrest Warrants has been "made possible by a



high level of mutual trust and co-operation between countries who share the same highly-demanding conception of the rule of law".

But critics claim that widely-varying standards of criminal justice within the EU will inevitably lead to miscarriages of justice. New laws approved recently by the European Parliament, but still to be ratified by member states, will make the extradition process almost automatic - even if the individual has already been convicted and sentenced at a trial at which he was not present.

At Westminster magistrates court on Tuesday Mr Symeou will appear before a judge who will not consider whether he has a case to answer, only whether the correct procedures have been followed for the arrest warrant to be valid. Mr Symeou's father Frank, who co-owns an interior design consultancy in north London, told The Sunday Telegraph: "It is wrong that Andrew has not had his say in a British court.

"The accuser does not have to demonstrate that there is a proper case to answer provided that the European warrant has been correctly completed.

"That means an accused person can be extradited to a foreign country with-

out a British court being satisfied that justice is being done. It is all based on trust."

Mr Symeou's lawyers will argue that the extradition request should be rejected on the grounds of "abuse of process" and will claim that the student is unlikely to receive a fair trial in Greece. They will claim that the Greek authorities have "obtained evidence by torture" and "deliberately manufactured a case against him, not followed the correct legal procedures under Greek law".

But the judge may rule that that is a decision which must be taken by a Greek court. The Symeou family have hired a lawyer in Greece, who obtained the case file from the Greek prosecutor. The lawyer said the file "reveals serious anomalies, which are suggestive of abuse on the part of the investigating authorities".

The file, seen by The Sunday Telegraph, shows that the statements given by Mr Hiles's friends are word-for-word identical, even though they were given to different officers on different days.

The Greek statements say that all the friends saw the incident in the night-

club, whereas statements given by the same people to South Wales police say that only one of them saw what happened.

The witnesses were shown a picture of Mr Symeou, sporting a goatee beard and taken on the night before the incident. All say that when they saw him on the night of the incident he had shaved off his goatee. Mr Symeou and other witnesses say he did not shave off his beard, and photographs taken at his sister's graduation ceremony four days later show him with a beard. "There is no way Andrew could have grown that beard in such a short space of time," his father said. "But we can't argue the evidence in a British court."

Two of Mr Symeou's friends have said in statements that they were beaten, punched, slapped and threatened by Greek police officers, claims corroborated by medical evidence. The legal wrangles over Symeou's extradition offer no consolation, however, to Mr Hiles's family: his parents Denzil and Peryn, his sister Jessica, 15, and his brother James, 12. His father told The Sunday Telegraph: "Jonathan's death has devastated the family. Our lives will never be the same again."

He said Mr Symeou should go back to Greece to clear his name in court. "I don't know if he killed Jonathan or not, but I won't know until his case has been heard in Greek court," he said.

"It can't be heard in a British court so he has to go over there."

"We are all part of the EU. If Greece's record of human rights is so terrible, why is it in the EU?"

Mr Hiles, who visits his son's grave every day, added: "My son is dead and nothing can bring him back. But there is only one man accused and I want to know if a court finds that he did it."

## Snow Detected on Red Planet

NASA's Phoenix spacecraft has discovered evidence of past water at its Martian landing site and spotted falling snow for the first time, scientists reported Monday. Soil experiments revealed the presence of two minerals known to be formed in liquid water.

Scientists identified the minerals as calcium carbonate, found in limestone and chalk, and sheet silicate. But exactly how that happened remains a mystery. "It's really kind of all up in the air," said William Boynton, a mission scientist at the University of Arizona at Tucson. A laser aboard the Phoenix recently detected snow falling from clouds more than two miles above its home in the northern arctic plains. The snow disappeared before reaching the ground. Phoenix landed in the Martian arctic plains in May on a three-month mission to study whether the environment could be friendly to microbial life.

One of its biggest discoveries so far is confirming the presence of ice on the planet. Scientists long suspected frozen water was buried in the northern plains based on measurements from an orbiting spacecraft. The lander also found that the soil was slightly alkaline and contained important nutrients and minerals. Scientists think there could have been standing water at the site in the past or the ice could have melted and interacted with the minerals. "Is this a habitable zone on Mars? I think we're approaching that hypothesis," said chief scientist Peter Smith of the University of Arizona. "We understand, though, that Mars has many surprises for us and we have not finished our investigation."



## Cadbury recalls chocolates in Australia

SYDNEY, Australia: British candy maker Cadbury recalled a brand of chocolates from stores in Australia after preliminary testing on the China-made sweets detected traces of melamine, the industrial chemical that has sickened tens of thousands of Chinese children.

Retailers across Australia were told late Monday to pull bags of Cadbury Eclairs from their shelves. The candies are the only China-made Cadbury product imported into Australia, Daniel Ellis, Cadbury's spokesman in Australia, said Tuesday.

"We just have done this as a precautionary measure to maintain our high quality standards," Ellis said.

A Cadbury spokesman in the U.K. said in a telephone interview Monday that preliminary

test results showed traces of melamine in chocolates made in the company's factory in Beijing, but said it was not yet known how much of the chemical was in them. The spokesman declined to be named because of company policy.

Ellis said the London-based company was testing the chocolates to determine any presence of melamine, a chemical that is high in nitrogen and is believed to have been added to watered-down milk to mask the resulting protein deficiency in food quality tests.

Results from Cadbury's tests are expected later this week, he said.

Milk used in other Cadbury products sold in Australia is produced domestically or in New Zealand, he said. Cadbury

recalled 11 items sold in the Asia-Pacific region on Monday, including the eclairs. The recalled chocolates are also sold in Taiwan, Hong Kong, Nauru and Christmas Island.

The eclair recall is the latest fallout from the melamine debacle in China. Australian food regulators recalled White Rabbit candies last week, after testing in New Zealand confirmed the product contained enough melamine to cause health problems in some people. The government food regulator, Food Standards Australia New Zealand, then began testing all products from China that contain dairy ingredients.

Test results on those products have not yet detected melamine, the agency said in a statement Monday.