

Book reviews

A Practical Guide to Extradition Law Post-Brexit



Editor: Myles Grandison, Temple Garden Chambers
 Publisher: Law Brief Publishing
 ISBN: 978-1-913715-35-9
 RRP: £34.99

This new title is written by members of Temple Garden Chambers, who have a wealth of combined experience with extradition cases. Myles Grandison is the editor and has acted for requested persons, judicial authority and the National Crime Agency, bringing considerable experience and a useful perspective to the issues faced by practitioners.

The UK–EU Trade and Co-operation Agreement (TCA) introduces some important changes to the Council Framework Decision 2002/584/JHA and the Extradition Act 2003, and this work guides practitioners through the court process, highlighting changes and continuity in respect of Part 1 and Part 2 cases.

Contents are broken down into the Initial Hearing, the Extradition Hearing, Bars to

Extradition, Human Rights, the Secretary of State's Role and Appeals, with useful extracts from the Extradition Act and the TCA appended.

The chapter, Initial Hearing, covers arrest, provisional arrest, consent, case management, bail, competing requests and legal aid. The next chapter, Extradition Hearing, covers judges' powers, sufficiency of particulars, issues arising in part 1 or 2 cases, disclosure, procedure and costs. In addition to referencing useful authorities and case law, the book is helpful with practical points on matters such as powers of arrest, bail and legal aid. In the latter chapters of the book, there are informative boxes with Practical Tips for Practitioners. Perhaps in the next edition of the book this useful format could be replicated throughout the book.

The longest chapter of the book, which will be a focus for practitioners, is the Bars to Extradition. Double jeopardy, absence of a prosecution decision, passage of time, speciality, forum, convictions in absentia, proportionality, physical or mental condition, and abuse of process are among the topics covered. The authors helpfully set out the position under the TCA and the Extradition Act for the relevant jurisdiction.

Another area of growing interest is the chapter on Human Rights, which notes that a District Judge must decide whether a requested person's extradition would be compatible with the European Convention on Human Rights and that there is an assumption that Member States of the Council Of Europe are able and willing to fulfil their obligations under the ECHR in the absence of clear and compelling evidence to the contrary.

Overall, this work does what it says on the tin—it is a practical guide that succinctly and comprehensively captures the key points needed by busy practitioners. The text comes in at a little under 200 pages and is a handy size for old-fashioned bag-carrying if necessary. As with all titles in this series, the type face and layout are user-friendly, and it is a useful addition to any extradition lawyer's library.

NLJ

Reviewer: Cadwalader partner **Kevin Roberts.**

The Law and Regulation of Medicines and Medical Devices, Second Edition



Author: Peter Feldschreiber
 Publisher: Oxford University Press
 ISBN: 9780192847546
 RRP: £150

Things have moved on since the first century BC when physicians who strayed from the practice rule book which they and their ancestors had written were subjected to trial under penalty of death. Arguably, a multi-track before a QBD judge for allegedly doing what no body of colleagues would have done is only a marginally preferable outcome. And how this work has moved on since its first edition five years ago. I reviewed it then. I confess I did not jump at the opportunity. Its subject matter struck me as no more compelling than the history of local unitary authorities' drainage systems. Titles can be deceptive. It was a fascinating read and unique in drawing together the threads of medico-pharmaceutical law in one place. And now, like all second editions, bigger and better

than what preceded it, with an impressive array of editors headed by pharmacologist and practising barrister Peter Feldschreiber and 18 contributors.

The forward writer Mr Justice Burton (as he then was) has moved on as well—now part-timing it in the Commercial Court and arbitrating—but is still on board. He finds the work 'revolutionary': a description with which I cannot and would not dare depart.

The litigator at heart that I am, my first port of call for this review, was the index. Is this book worth its cover price to COVID practitioners? It certainly deals comprehensively with the legal effect of the pandemic, along with associated scientific innovations and medical devices and the evolving legislation and regulatory procedures post-Brexit are there too. Valuable

background to a covid claim be it founded in tort, breach of statutory duty or otherwise. The book wisely dodges second-guessing the jurisprudence that is awaited in this area. For that, you will have to use your own pin but the chapter on civil liability by Leigh-Ann Mulcahy QC and Alison McAdams will particularly guide you to where it should land. If work is undertaken in a novel field where little is known, there is a common law obligation to take particular care. Liability in negligence for unknown risks is likely to be assessed on whether sufficient research or testing was undertaken. Warnings as to the effects and hazards of products must be sufficient but need not convey all the information known. There is a continuing duty to warn. The principles of this nature are concisely related and liability under consumer protection legislation thoroughly examined.

Elsewhere, the chapters range from clinical efficacy and safety to the legislation and regulation of medical devices to liability in public law to an introduction to exclusivity rights. There is a wealth of information and education on offer. Litigators will join the medics and the researchers in lapping them up.

NLJ

Reviewer: NLJ columnist **Stephen Gold.**