UK-U.S. extradition review deals blow to hacker

Tim Castle, Reuters

An extradition treaty with the United States is not biased against British criminal suspects, a judge-led review said on Tuesday, dealing a blow to campaigners fighting to stop a computer hacker being sent to stand trial in America.

Britain launched the review in September following complaints the 2003 treaty made it easier to extradite people from Britain to the United States than vice versa.

Gary McKinnon has been battling for six years to avoid extradition to the U.S. over what American officials called the "biggest military computer hack of all time."

McKinnon, 45, suffers from Asperger's syndrome, a form of autism, and his supporters say he is too ill to be sent for trial in the United States. He faces charges that could lead to a 70-year jail sentence.

Britain's Home Secretary (interior minister) Theresa May has been waiting for medical reports on McKinnon before making a final decision on his extradition.

The review, led by retired judge Scott Baker, said criticism of the treaty was based on a misunderstanding of how the legislation operated in practice.

"The UK-U.S. extradition arrangements were examined in great detail and the panel concluded that the widespread perception that they operate in an imbalanced manner is not justified," it said.

"There is no 'practical difference' between the information required of both countries when requesting extradition."

The panel also rejected calls for the government to implement legislation that would allow a suspect wanted for extradition to be tried in Britain when the alleged crime was committed in the UK -- as was the case with McKinnon's computer hacking from his home in London.

McKinnon was arrested in 2002 after U.S. prosecutors charged him with illegally accessing computers, including systems at the Pentagon and NASA, and causing $900,000 worth of damage.

He says he became obsessed with looking through military data networks for evidence of aliens and secret technology.

The extradition review's finding is politically difficult for British Prime Minister David Cameron and his coalition deputy Nick Clegg, who raised McKinnon's case with President Barack Obama during his state visit this year.

The British leaders have backed criticism of the treaty, drawn up after the

September 11, 2001 attacks to allow the quick transfer of suspects. Whilst in opposition, Clegg had called the treaty "lopsided."

(Editing by Robert Woodward)

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