5 SAH

FIVE ST ANDREW'S HILL

+44 (0) 207 332 5400

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Ben Keith

YEAR OF CALL: 2004

"Out of this world," he "has in-depth knowledge and has defended numerous individuals in the most serious cases."

BAND 1 - CHAMBERS AND PARTNERS AND LEGAL 500: EXTRADITION

> *"An enormously knowledgeable barrister with excellent advocacy skills and broad experience in extradition, human rights and immigration."*
>
> Chambers and Partners 2023 - Immigration

> *"knowledgeable, go-to junior" for cases stemming from Russia and Ukraine."*
>
> BAND 1 - The LEGAL 500: EXTRADITION

> *"One of the most talented, knowledgeable, dedicated and experienced extradition law and human rights barristers around."*
>
> Chambers & Partners, 2022

> *"Ben is an industry-leading expert in the field and is regularly instructed in high-profile cases involving complex legal arguments and politically motivated requests. His in-depth knowledge of these areas is an invaluable contribution to every matter he is instructed in."*
>
> Chambers & Partners - HNW - 2023: Financial Crime

> *“Ben's strength is his knowledge of both extradition and immigration, and the crossover between the two areas.”*
>
> Chambers & Partners, 2024

Overview

Ben Keith is a leading barrister specialising in cross-border and international cases. He deals with all aspects of Extradition, Human Rights, Mutual Legal Assistance, Interpol, Financial crime and International Law including sanctions. He represents governments, political and military leaders, High Net Worth individuals, human rights defenders and business leaders in the most sensitive cases.

He has extensive experience of appellate proceedings before the Administrative and Divisional Courts, Civil and Criminal Divisions of the Court of Appeal and the Supreme Court as well as applications and appeals to the European Court of Human Rights, (ECHR) and United Nations.

A specialist in political cases and those arising from corporate raiding (see recent seminar at Chatham House here).

A leading authority on the removal of INTERPOL Red Notices for worldwide clients, he edits the Red Notice Monitor blog. Dealing with politically motivated allegations and the use of

transnational repression by foreign governments.

He has significant expertise in human rights, extradition and asylum proceedings in post-soviet states including Russia, Ukraine, Azerbaijan, Moldova and Kazakhstan. He is sought after to represent politically exposed persons in extradition, immigration and financial proceedings, including sanctions.

He is also a leading barrister in Immigration and Public law. Appointed to the Attorney General's 'A' Panel of counsel, dealing with some of the most complex cases for the UK government. He advises the Government Legal Department on a range of public law matters. He Specialises in complex asylum claims for politicians and High Net Worth individuals often linked to extradition proceedings and Interpol Red Notices.

He has expertise in the Middle East including UAE, Saudi Arabia, Bahrain and Egypt dealing with cases of torture, disappearance and universal jurisdiction. He has dealt with cases from many jurisdictions in the Far East including: China, South Korea, Singapore, Hong Kong, Thailand, Philippines and Malaysia.

> *"Extremely bright. His advocacy is excellent and he is the kind of lawyer who is always there for you. His knowledge and understanding of the countries and political systems he deals with is unparalleled."*
>
> Chambers and Partners 2021

> *"He has an indomitable court presence, with the tactical acuity to match. Ben brings a wealth of experience and contacts across not just Europe, but many jurisdictions around the world, including India and the Russian Federation."*
>
> The Legal 500, 2022 & 2021

> *"He has a real in-depth knowledge of the geopolitics of the CIS region and has a wealth of experience representing high net worth individuals, including politicians and business leaders, in politically motivated prosecutions."*
>
> CHAMBERS & PARTNERS - HNW - 2023: FINANCIAL CRIME

> *"A fount of knowledge who must have dealt with every country the UK has an extradition treaty with. He's very approachable and leads others to have confidence in him. Out of this world, he has in-depth knowledge and has defended numerous individuals in the most serious cases."*
>
> Chambers & Partners, 2020

> *“Ben is a really fierce advocate, who has the ability to explain a complex legal argument in simple terms.”*
>
> Chambers & Partners 2024.

> *“He has a very good manner with the client.”*
>
> Chambers & Partners, 2024

Ben is recognised within Chambers & Partners High Net Worth Guide: Financial Crime.

Ben represents high-profile and ultra high net worth individuals in financial crime matters. Keith's experience includes dealing with fraud allegations and extradition issues.

He is ranked in Chambers and Partners as a band 1 leader in the field of Extradition at the London Bar and in the Legal 500 as a Tier 1 leading individual in international crime and extradition. Ben is also ranked in Chambers & Partners in the field of Immigration.

Pro bono work

A pro bono barrister in complex international and domestic cases he won the International Pro Bono Barrister of the Year in November 2021.

Ben writes and provides legal commentary to national and international newspapers including: Guardian, Times, New Statesman, Independent, Daily Express, Deutsche Welle, Canadian Whig Standard, Wall Street Journal, BBC, CBS, ITV, Channel 4, Sky, CNN and Al Jazeera.

For more information about Ben's International Law, Reputation Management and Legal and Litigation Campaigns work please visit www.ihr-advisors.com

Recent cases

Balahan v Sweden (2023) – European Court of Human Rights case in relation to extradition to the USA and the issue of life without parole and the three strikes rule.

Sanchez v United Kingdom (2022) – European Court of Human Rights Grand Chamber case in relation to extradition to the USA and the issue of life without parole.

Nigerian Extradition (2023) - Successful defence of allegations of fraud in Nigeria.

Kuwait Extradition (2023) - Successful defence of allegations of fraud in Kuwait.

South Korean Extradition (2022) – Representing former Index Arbitrage trader in South Korean extradition request. Extradition discharged

South Africa Extradition (2022-2024) – Representing in extradition request for allegation of bribery and corruption.

Representing Japanese Government in first extradition request to the UK.

Ryan Cornelius (2021) – Successful application to the UN Working Group on Arbitrary detention. client detained in UAE in breach of international law.

Kalinga v Uganda – African Commission on Human and People's Rights – final stage of hearing of allegations of torture and extraterritorial reedition.

Fletcher v India [2021] Successful appeal against Indian Extradition request.

FCA v Lummins: Application to the Court of Appeal in Financial Conduct Authority fraud case.

Afzal and Iyieki [2024] Supreme Court case on Immigration long residence.

Court of Appeal immigration: 8 appeals. Leading authorities on Long Residence, Trafficking and asylum evidence.

Successful removal of Interpol Red Notice in politically motivated allegation of $600m fraud for individual based abroad and defeat of extradition proceedings in foreign state.

Representing CEO of Bank on politically motivated Interpol Red Notice removal.

Advising individual on criminal proceedings in Ukraine, Interpol and extradition.

Advising former senior military officer on politically motivated prosecution.

Advising Senior executive on Serious Fraud Office investigation.

Advising former political leader on asylum proceedings.

Advising corporate client on allegation from Turkey of involvement with terrorism.

Advising individuals on financial sanctions risks.

Advising on asylum application by former head of state.

Professional Memberships

Deputy Judge of the Upper Tribunal (Immigration and Asylum Chamber)

Defence Extradition Lawyers Forum (Chair 2020-2021)

International Bar Association

International Criminal Court, List of Counsel

Kosovo Specialist Chamber, List of Counsel

Fraud Lawyers Association, founding member

European Criminal Bar Association

Criminal Bar Association

Extradition & International

Ben is one of the most experienced and highly regarded extradition barristers. He regularly acts for clients based in foreign jurisdictions who seek his advice on extradition, Interpol and associated issues. He has a busy Appellate practice, appeared in over 100 cases before the Administrative and Divisional courts in cases dealing with Human Rights including allegations against requesting states of torture, political corruption, rendition and discrimination. He has conducted well over 500 extradition cases.

> *“An extremely impressive advocate who, when tackling a case, knows the politics, landscape and arguments that will work.”*

> *“An industry expert in cases concerning extradition to former CIS states. His knowledge and understanding of these countries and the political nature of extradition requests in that part of the world is unparalleled.”*
>
> Chambers and Partners 2023.

He wrote submissions to the House of Lords Committee on Extradition Law on behalf the Criminal Bar Association and gave evidence to the Committee.

Immigration

A leading immigration barrister with extensive experience before the Court of Appeal and in judicial review before the High Court and Upper Tribunal.

Appointed a Deputy Judge of the Upper Tribunal (Immigration and Asylum Chamber).

Business Crime & Financial Regulation & Criminal Defence

Ben is appointed to the International Criminal Court and Kosovo Tribunal counsel lists in the Hague. He presented at the UN conference on Reparations in Doha, Qatar as well as for the Arab Organisation for Human Rights in London and Geneva. Advises individuals and NGO’s on international law and Universal Jurisdiction.

Advises and represents in complex cross-border cases often involving high net worth individuals and senior executives.
Expertise in search warrants and associated public law challenges in criminal cases.
Expertise in appeal proceedings and judicial review of criminal cases.

Judicial Review & Public Law

Significant experience in judicial review and Habeas corpus acting for both individuals and government departments in a range of work, including complex inquests into deaths in custody and subsequent judicial review proceedings. Experienced in advising and representing in public inquiries, including the Independent Inquiry on Child Sexual Abuse. Advises individuals and corporates and government departments on criminal and civil liability arising from inquests and inquiries.

Cases of Note

European Court of Human Rights

Jonah Horne v United Kingdom (Application No. 34392/21) (2024)

European Court of Human Rights case in relation to the issue of extradition to the USA and life without parole and Article 3 of the European Convention on Human Rights (ECHR).

Patrick Bijan Balahan v Sweden (Application no 9839/22) (2023)

European Court of Human Rights case. Request for extradition by the United States of America to Sweden. Mr Balahan is requested for extradition to face trial on serious allegations that engage the Californian Three Strikes Law which will likely result in Mr Balahan receiving a prison sentence for life with a minimum terms of 61 years custody before parole can be considered. On appeal to the Grand Chamber.

Sanchez-Sanchez vs United Kingdom (2022) (application no. 22854/20) (2022)

European Court of Human Rights (ECHR) Grand Chamber case in relation to the issue of extradition to the USA and life without parole and Article 3 ECHR. On appeal from Sanchez v United States of America [2020] EWHC 508 (Admin).

Ruban v Ukraine (application no. 8927/11)

European Court of Human Rights. representing the appellant in an Application of Article 7 ECHR and maximum sentences after the abolition of the death penalty in Ukraine for client

who is serving a life sentence for murder in Ukraine.

UN Special Procedures

Ryan Cornelius (2021)

Client detained in UAE in breach of international law. Successful application to the Working Group on Arbitrary detention.

Zack Shahin (2021)

Client detained in UAE in breach of international law. Applications to the Working Group on Arbitrary detention.

X and Y (Saudi Arabia)

Application to the Working Group on Arbitrary detention for disappeared clients.

Z(Russia)

Representing individual before the ECHR and UN CAT in relation to asylum and extradition proceedings to Russia.

African Commission on Human and People's Rights

Kalinga vs Uganda

Case at final stage of hearing in relation to allegations of torture and extra territorial reedition.

INTERPOL

AB (2022)

Representing CEO of Bank in politically motivated Interpol Red Notice

Bahrain (2022)

Application to remove Interpol Red Notice because of the risk of torture.

CD (2022)

Representing senior military leader in politically motivated Interpol Red Notice removal involving disappearance of relatives.

X (2021)

Successful removal of Interpol Red Notice in politically motivated allegation of fraud against high profile individual based abroad and defeat of extradition.

Ukraine Interpol (2020)

Successful removal of Interpol Red Notice in politically motivated allegation of $500m fraud.

Kazakhstan v Y (2020)

Representing Human Rights Campaigner in removal of political red notice.

Supreme Court

R (on the application of Afzal) v Secretary of State for the Home Department and R (on the application of Iyieke) v Secretary of State for the Home Department [2023] UKSC 46.

Acting for the Secretary of State in the Supreme Court in the leading cases on Immigration Long Residence and paragraph 276B of the Immigration Rules.

Court of Appeal

LM (Albania) v Secretary of State for the Home Department [2022] EWCA Civ 977

Leading case in the Court of Appeal on the standard of proof in Trafficking cases.

Iyieke v Secretary of State for the Home Department [2022] EWCA Civ 1147

Acting for Secretary of State in the Court of Appeal in leading case on paragraph 276B of the immigration rules.

SR(Sri Lanka) v Secretary of State for the Home Department [2022] EWCA Civ 828

Acting for Secretary of State in the Court of Appeal case dealing with the standard of proof in asylum cases and the Liberation Tigers of Tamil Eelam (LTTE).

Afzal v Secretary of State for the Home Department [2021] EWCA Civ 1909

Acting for Secretary of State in the Court of Appeal in leading case on leave under section 3C of the Immigration Act 1971 and its interaction with paragraph 276B and 39E of the immigration rules.

Akinola, Alam and Abbas vs Upper Tribunal and Secretary of State for the Home Department [2021] EWCA Civ 1308

Acting for Secretary of State in the Court of Appeal in leading case on leave under section 3C of the Immigration Act 1971.

Hoque, Mubarak, Kabir and Arif v Secretary of State for the Home Department [2020] EWCA Civ 1357

Acting for the Home Secretary as junior counsel in the Court of Appeal in 4 joined cases examining the 10 Years Long residence applications and the operation of Paragraph 276B(v) with Paragraph 39E of the Immigration Rules.

Chanda v Secretary of State for the Home Department [2018] EWCA Civ 2424

Acting for the Home Office in the Court of Appeal examining the meaning of Paragraph 322(1A) of the Immigration Rules on the submission of false documents during immigration proceedings.

MUDIYANSELAGE and ors v Secretary of State for the Home Department and ors [2018] EWCA Civ 65

The leading case on the points based system before the Court of Appeal and the President of the Queen's Bench Division. Acting on behalf of the Government in the case of the Appellant Kokab who was applying for a Tier 1 Entrepreneurs visa to enter the UK from Pakistan.

High Court

Mohammed v Secretary of State for the Home Department [2021] EWHC 240 (Admin)

Acting for Secretary of State in breach of a high court order in a case relating to section 4 of the Immigration and Asylum Act 1999 where an allegation of contempt of court was made.

Huson v Secretary of State for the Home Department (Entry Clearance Officer) [2021] EWHC 885 (Admin)

Judicial Review examining the issue of Polygamous marriages in Nationality claims. This case included examination of the Guidance on Polygamous marriages and the issue of domicile relating to these types of nationality claims.

R(on the application of KMI) v Secretary of State for the Home Department [2021] EWHC 477 (Admin)

Acting for the Secretary of State. Class interim relief application in relation to applications for section 4 accommodation under the Immigration and Asylum Act 1999.

Upper Tribunal

MRS and FS v Secretary of State for the Home Department {2022] Upper Tribunal

Acting for Secretary of State in leading case on the waiving and deferral of biometric information in Afghanistan in family reunion case.

R (Gornovskiy) v Secretary of State for the Home Department (Extradition and immigration powers) [2021] UKUT 321 (IAC),

Representing businessman accused of stealing millions from President Vladimir Putin. On Russia's most wanted list. Examination of the interaction of Restricted Leave to Remain and extradition.

"Calais Jungle" Cases

Represented the Home Office in a series of Judicial Reviews of asylum cases involving the Dublin III regulations and unaccompanied minors. The cases were highly sensitive and reported in the press and BBC and involved a series of refusals to admit unaccompanied minors from the Calais 'jungle' camp. The cases were all emergency judicial review applications and listed before the President of the Upper Tribunal, Mr Justice McCloskey. The cases were politically and factually sensitive given the age of the children

First Tier Tribunal

AB(Russia)

Successful challenge to a refusal to grant British Nationality. Representing a Politically Exposed Person in an application for nationality where the individual was accused of immigration fraud under the ETS litigation. Client was cleared of using a proxy to sit the English Language exam and nationality was granted.

Y(Ukraine) v Secretary for State for the Home Department

Successfully obtained asylum for leading Ukrainian politician accused of fraud. The criminal case was found to be fabricated against the appellant for political reasons.

X(Ukraine) v Secretary for State for the Home Department

Representing leading Ukrainian Politician in asylum proceedings

Part 2 Extradition Cases

Lomas v Government of South Africa [2024] EWHC 388 (Admin) and Number 2 [2024] EWHC 637 (Admin) and [2024] EWHC 731 (Admin)

Representing Appellant in extradition to South Africa for allegations of Bribery. Rare re-opening under Part 50.17 Criminal Procedure Rules.

Stage v Government of Australia [2024] EWHC 245 (KB)

Representing Appellant in extradition to Australia. Divisional Court case in relation to allegations of abuse of process in extradition case to Australia in an allegation of drug trafficking.

Government of Nigeria v X and Y (2023)

Representing Defendants in complex Nigerian extradition request. Extradition discharged.

Government of Kuwait v Jarallah (2023)

Representing Defendant in extradition request from Kuwait. Case discharged.

Government of the Republic of Korea v Ong (2022)

Extradition request by South Korea for formed Deutsche Bank employee discharged on grounds of political motivation, passage of time and human rights concerns.

Chappell and ors v Secretary of State for the Home Department and Government of Japan [2022] EWHC 3281 (Admin)

Representing Government of Japan in Judicial Review of section 70 certificate issues in extradition proceedings.

Government of Armenia v AB (2021)

Representing Requested Person in extradition request from Armenia. Case discharged on the basis of potential breaches of Article 3 and Article 6 ECHR and the Requested Person's Sexuality. Leading Danielle Barden.

Tabuncic and Coev vs Government of Moldova [2021] EWHC 1269 (Admin)

Leading case on prison conditions in Moldova and breaches to Article 3 ECHR

Fletcher v Government of India [2021] EWHC 610 (Admin)

Representing appellant in extradition to India. Appeal allowed on the basis of suicide risk and lack of suitable assurances from India.

United States of America v D [2020]

Representing the Defendant in USA extradition request over allegations of insider trading, fraud and money laundering bright by the Securities Exchange Commission and Department of Justice.

Sanchez v United States of America [2020] EWHC 508 (Admin)

Representing in USA extradition case on allegations of large scale drug trafficking. Now on appeal to the European Court of Human Rights in relation to the issue of life imprisonment without parole. Led by David Josse QC.

Government of Russian Federation v Tsurcan and ors (2019)

Leading case on Russian prison conditions. Discharged on the basis that assurances and

monitoring of prisons were not sufficient.

Government of Azerbaijan v Zamira Hajiyeva (2019)

Allegations of fraud linked to the UK's first Unexplained Wealth order.

Yilmaz and Yilmaz v Government of Turkey [2019] EWHC 272 (Admin)

Representing Appellants in leading case dealing with Article 3 of the European Convention on Human rights and prison conditions in Turkey.

United Arab Emirates v AH (2018)

Extradition to the United Arab Emirates discharged due to a lack of extradition offence. Client was accused of committing cheque fraud and the judge found that there was not evidence to show that the Defendant has a case to answer.

Government of Urkraine v Bondarchuk (2018)

Extradition request of leading Ukrainian politician discharged.

Government of Moldova v MB (2018)

Representing Defendant facing extradition to Moldova to serve a sentence for people trafficking - case discharged under Article 3 of the European Convention of Human Rights and Moldovan prison conditions.

Government of Nigeria v Ojo (2018)

Extradition to Nigeria discharged on human rights grounds.

Beshiri v Albania [2018] EWHC 91 (Admin)

Albanian extradition appeal. Appellant alleged torture and mistreatment in custody. The case gave guidance on the use of evidence on appeal where the Appellant was unrepresented at first instance.

LMN v Turkey [2018] EWHC 210 (Admin)

Successful appeal in Turkish extradition case where the state of the Turkish penal system post

the July 2016 coup was examined. There were serious allegations by the appellant of torture when previously incarcerated in Turkey leading to PTSD and other complications.

Government of Russia v AA (2017)

Representing in Russian extradition request for fraud. Extradition discharged as politically motivated prosecution against the Defendant.

Government of India v Angurala and Angurala (2017)

Extradition request discharged on basis of pasage of time.

Stanislaz Dzgoev v Russia [2017] EWHC 735 (Admin)

Representing appellant in extradition to Russia. Arguing that prisons conditions in Siberia were not in compliance with Article 3 ECHR.

Government of Russia v Roman Solodchenko (2016)

Representing the Defendant in extradition request from Russia in relation to the BTA Bank (Kazakhstan) litigation. The case was discharged after it was conceded that the case had no merit.

Government of Moldova v Moldeveanu (2016)

Representing the Defendant in extradition request from Moldova. The case was discharged on Article 3 ECHR grounds as Moldova were unable to provide adequate assurances on prison conditions.

Government of Ukraine v Roman Solodchenko (2016)

Representing the Defendant in extradition request from Ukraine in relation to the BTA Bank (Kazakhstan) litigation. The case was discharged on Article 6 ECHR grounds. The issues of abuse and political motivation were not ruled on by the court.

United Arab Emirates v WC (2015)

Extradition to the United Arab Emirates (UAE) was discharged on the basis of breaches of human rights grounds. The court found that extradition for fraud offences should be barred as

there was a real risk of torture and that the Defendant would not receive a fair trial.

Government of the Russian Federation v AE (2015)
Representing the Defendant in extradition request from Russia in relation to the BTA Bank (Kazakhstan) v Mukthar Ablyazov litigation. The case was discharged as Russia conceded the case had no merit.

Government of the Russian Federation v Igor Kononko (2015)
Representing the Defendant in extradition request from Russia in relation to the BTA Bank (Kazakhstan) v Mukthar Ablyazov litigation. The case was discharged on Article 6 ECHR grounds. This was the first case where Russian prisons have been inspected.

Government of Turkey v Ozcan Ucar (2014)
Representing Defendant in extradition to Turkey in relation to allegations of political corruption and violence. The request was discharged as an abuse of process.

Government of Ukraine v Igor Kononko [2014] EWHC 1420 (Admin)
Representing the requested person is in extradition appeal by Ukraine in relation to the BTA Bank (Kazakhstan) v Mukthar Ablyazov litigation. The case was found to be an abuse of the courts process by Ukraine.

Lutsyuk v Government of Ukraine [2013] EWHC 189 (Admin)
Extradition to Ukraine discharged due to the likelihood of a breach of Article 3 ECHR. The Judgement also makes Immigration Country Guidance Cases applicable to extradition proceedings and sets the test for assurances in extradition proceedings as being the same as the European Court of Human Right Judgement inOthman (Abu Qatada) v UK.

Lumenica (aka Bedri Cala) v Government of Albania [2012] EWHC 2589 (Admin) and [2012] EWHC 3802 (Admin)
Leading authority on the powers of the Administrative Court to extend time for the service of appeals. Represented the Government of Albania in relation to a case of double murder.

Government of Turkey v A (2012)

The Turkish extradition request accused the Defendant of being a member of the PKK and conspiring to murder 5 individuals in 1999 in Turkey. Allegation of torture and mistreatment were made against the Turkish Government. The case was discharged due to injustice and oppression because of the passage of time.

Government of Moldova v Antonov

Extradition request by the Government of Moldova. Representing the Defendant who was discharged on the grounds that Moldovan detention and prison facilities did not meet Article 3 requirements as there was a real risk of torture.

Government of Ukraine v EK [2012]

Extradition request by the Government of Ukraine. Representing a close associate of the former Prime Minister Yulia Tymoshenko, who has recently been convicted at a sham trial instigated by political opponents. Client is accused of miss-selling of promissory notes for gas assets to Russia and Vladimir Putin, the request we allege is politically motivated. Arguments in relation to political corruption Articles 3, 5 and 6 ECHR.

Government of Azerbaijan v AM

David Josse QC led Ben Keith defending a member of the Azerbaijan Democratic Party on allegations of fraud. The Extradition request was found to be a sham based on political motives and the Defendant was discharged.

Vatoci v Government of Albania: [2011] All ER (D) 327 (Mar)

A murder extradition appeal on the question of proof of identity where the extradition request had already been discharged in another jurisdiction.

R(on the Application of Zaporazhchenko and Redya) v Westminster Magistrates Court and Secretary of State for the Home Department [2011] EWHC 34 (Admin)

David Josse QC led Ben Keith in a judicial review of the decision of the Magistrates Court not to discharge a Ukrainian extradition request because the Secretary of State had failed to order extradition in relation to an allegation of large scale fraud in the Ukraine. Judicial review

granted.

South Africa v Ian Armstrong [2010]

Extradition request by South Africa successfully negotiated the withdrawal of a request involving the theft of gold mining equipment.

A v Government of Croatia [2010] EWHC (Admin)

Appeal against Extradition order in relation to a breach of Article 8 of the European Convention on Human Rights.

PART 1 EAW EXTRADITION CASES

Polakowski and ors v Westminster Magistrates' Court and ors [2021] EWHC 53

Leading case on extradition and the EAW post-Brexit.

Greece v X, Y and Z (2019)

Acting in 3 separate Greek EAW requests for extradition on charges of murder, drug trafficking and child abduction. All cases were discharged on the basis of the lack of a right to retrial in Greece. Two of the cases were also discharged on a combination of prison conditions, abuse of process and mental health grounds.

Malik and ors v Public Prosecutors Office, Ausberg, Germany [2018] EWHC 3479

Representing lead Appellant in 7 Appellant extradition appeal in an allegation of multi-Million MTIC VAT fraud.

Obert v Greece [2017] EWHC 303 (Admin)

The Divisional Court allowed the extradition appeal of Obert v Greece. Mr Obert was accused of handling a stolen car in Greece and Italy in 2002. Greece had done nothing to prosecute the case since 2002 and no evidence was produced. Extradition was not requested until 2014 year after the evidence had been destroyed. The case had also been discharged by Italy in 2015 as being time barred. The Divisional Court found that given the passage of time it would be oppressive to extradite.

Muldoon v Spain [2016] EWHC

Appeal against extradition to Spain where no action was taken by the Spanish authorities for over 14 years. The Appeal was allowed on the basis that there was no offence disclosed on the European arrest warrant.

Da Silva v Portugal [2015] 2540 (Admin)

Representing the Appellant in extradition proceedings to Portugal. This case dealt with the right to re-trial in Portugal under section 20 of the Extradition Act 2003.

Domenico Rancadore v Italy [2015] EWHC (Admin)

Instructed as Junior Advocate for the Appellant in resisting extradition to Italy in relation to alleged leader of Cosa Nostra.

Florea v Romania [2014] EWHC 2528 (Admin)

Leading authority on Romania Prisons and Article 3 of the European Convention on Human Rights in extradition proceedings. Romania were asked to give assurances as to the type and quality of prisons that the Appellant will be held in.

Brazuks and ors v Latvia [2014] EWHC 1021 (Admin)

Leading Authority on Latvian Prisons and Article 3 of the European Convention on Human Rights in Extradition proceedings.

Goman v Poland [2013] EWHC 3606 (Admin)

Extradition appeal allowed on article 8 grounds. Ouseley J allows time spent on curfew to be taken into account in article 8 balancing exercise.

A and B v Hungary [2013] EWHC 3132 (Admin)

Divisional court hearing against an order for extradition to Hungary, in which Mr Keith was instructed for A the Divisional Court allowed the appeal of the sole carer B in relation to an offence of £100,000 mortgage fraud and a separate conviction of 2 years and 10 months custody with a 9 year old child involved. Moses LJ laid down new guidance on Article 8 in extradition proceedings.

Wolokowicz and ors v Poland and ors [2013] EWHC 102 (Admin)
Leading authority on the risk of suicide in extradition proceedings, including argument on article 3 ECHR and section 25 of the Extradition Act 2003.

Coton v High Court of Dublin, Ireland [2012] EWHC 3874 (Admin)
Appeal against extradition to Ireland to face an allegation of contract killing after a passage of time of 23 years.

O'Brien v Governor of Wandsworth Prison [2012] EWHC 3474 (Admin)
Application for writ of habeas corpus for non-production of Defendant in extradition proceedings within time at Westminster Magistrates' Court.

Nikitins v Latvia [2012] EWHC 2621 (Admin)
Appeal against extradition order. Appeal allowed due to disproportionate interference with the Appellant's Article 8 family rights.

Popa v Regional Court in Plzen Mestro, Czech Republic [2011] EWHC 329 (Admin)
Appeal to Divisional Court alleging abuse of process in extradition proceedings due to illegal detention of defendant on a defective EAW.

Stojkova v Distirct Court in Okresny, Slovakia [2010] EWHC 3532 (Admin) (High Court)
Extradition appeal in relation to discrimination on the basis of sexuality and ethnicity in Slovakia.

Regional Court in Konin, Poland v Pawel Walerianczyk [2010] EWHC 2149 (Admin)
Represented the Respondent in an appeal against discharge. Argument about the applicability

of time limits and the nature of a notice of appeal.

Sondy v CPS [2010] EWHC 108 Admin [2010] All ER (D) 41 (Jan)

Leading Authority on admission of further evidence on appeal by Requested persons in Extradition Proceedings. Extradition request discharged post appeal.

Szombathely City Court, Hungary and others v Roland Fenyvesi and Kalman Fenyvesi [2009] EWHC 231 (Admin), [2009] 4 All ER 234

The leading authority on the admission of further evidence on appeal.

Rule 39 Applications

Dogaev v UK

Representing the Appellant

Florea v UK

Representing the Appellant

Brazuks v UK

(Unsuccessful on article 3 grounds)

Zibala v UK

Representing the Appellant -(Successful on article 8 grounds)

Vatoci v Albania

Representing the Appellant

DOMESTIC CASES

R (Iroko) v HM Senior Coroner for Inner London South [2020] EWHC 1753

Judicial Review of Coroners failure to hold and Article 2 Inquest.

R v Graham Stevenson {2020] EWHC 50 (QB)

Representing in murder conviction and sentence before the high court on a transfer of

sentence from Germany. Case on setting the minimum tariff in a life sentence case under section 273 of the Criminal Justice Act 2003.

Holman Fenwick Willan v Police Service Scotland and ors [2016] EWHC 1005

Representing Police Service Scotland and the Lord Advocate in a judicial review of a search warrant granted in Scotland in relation to the Glasgow Rangers fraud case. The search warrant was executed in the UK against city solicitors and involved arguments of devolution and jurisdiction.

R v O (2018)

Defending in historic rape trial in Bolton Crown Court. Defendant sentenced to 18 years custody plus 4 years for dangerousness.

R v P (2018)

Southwark Crown Court defending in an allegation of cigarette smuggling

N v Nursing and Midwifery Council (2013)

Ben Keith defended Ms N against allegations of professional misconduct before the Nursing and Midwifery Council. Ms N was accused of misconduct as a nurse in 2010, after full hearing Ms N was found not to be impaired to practice as a nurse.

R v James Citro (Central Criminal Court)(2011)

Defending in a cold case review of a historic murder from 1998 of a neighbour in Wembley, the Defendant having two previous convictions for rape in the Republic of Ireland in 1978.

Sternaj v DPP [2011] EWHC 1094 (Admin)

Instructed as led junior in an appeal by way of case stated on the interaction between the Refugee Convention 1951 and Immigration Act 1971 Offences.

Accreditation