

# David Williams

YEAR OF CALL: 2009



*David is a barrister who specialises in extradition, human rights, public law, sports, regulatory and criminal defence. He is ranked in the Legal 500 and Chambers and Partners.*

## Overview

David practices in Extradition, Human Rights, Public Law, Sports Law / Regulation and Criminal Defence. He has extensive experience of proceedings before the Criminal, Administrative and Divisional Courts, encompassing appellate work in Crime (CofA and Case Stated), as well as in extradition proceedings and judicial review, with particular expertise in European prison conditions.

*' At the forefront of the extradition market, tactically astute and responsive, David is an in-demand extradition junior that has a successful practice in both the Magistrates' Court and High Court. '*

*'Fantastic advocate; concise, engaging and articulate. Very knowledgeable in his field and always willing to help with pursuing novel lines of challenge.'*

The Legal 500 2022 & 2021.

*'Extraordinarily bright, committed to his clients, and fearless in court. '*

The Legal 500 2020.

David is ranked in Chambers and Partners and the Legal 500 in the field of Extradition and International (London Bar).

*"A fearless advocate when it comes to his clients' interests." "David's client care is excellent; he is a passionate and caring advocate who puts incredible energy into his case presentation."*

Chambers and Partners 2021.

*An "excellent" extradition junior who garners praise for his "persuasive presence in court." "His client care is exceptional, and he is always up to date with current law and alive to the potential issues in a case."*

Chambers and Partners 2019.

David also has experience in a broad range of regulatory offences before courts and tribunals. He has particular expertise in proceedings before Regulatory Commissions / Appeal Boards of The Football Association.

He joined Chambers having worked in the third sector in various roles over 6 years including working for the Citizens Advice Bureau and as an Independent Mental Health Advocate. David also worked as a paralegal at the Office of the Georgia Capital Defender on capital murder trials.

## *Professional panel appointments*

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David is a Band B panel advocate for the General Dental Council (GDC).

## *Additional Information*

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David won the Norman Tapp Memorial Prize for Excellence in Mooting (Gray's Inn) in 2009 and mooted internationally representing Gray's Inn.

## *Professional Memberships*

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Young Fraud Lawyers Association.

Extradition Lawyers Association.

Amicus.

The Howard League for Penal Reform.

Liberty.

Defence Extradition Lawyers Forum.

## *Extradition & International*

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David has a significant extradition defence practice and has been involved in a number of most complex and leading cases over the last few years.

*"Excellent barrister and a fearless advocate in court, who is very knowledgeable, friendly and helpful."*

*"Approachable, personable, experienced and very good with clients, he is able to offer accessible and straightforward advice."*

Chambers and Partners 2020.

David has particular experience in cases involving Article 3 of the European Convention of

Human Rights and has acted in the lead cases in number of European jurisdictions which have led directly to improvements in conditions of detention. He is currently instructed in the lead case dealing with Bulgarian prison conditions following the recent pilot judgment and CPT declaration.

He acted in the leading case on the procedure to be adopted when considering the Forum bar, led by David Josse QC and a leading authority on double jeopardy led by Helen Malcolm QC.

*"Really passionate when it comes to arguing his case and so good at picking things up very quickly. His service to clients is some of the best you'll come across."*

*An "experienced and knowledgeable" extradition junior renowned for his tenacity and "superb ability to get to the nub of a case."*

Chambers and Partners 2018.

## *Criminal Defence*

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David has experience in a full range of criminal matters from road traffic offences to historic sex offences and serious cases of violence.

He has particular experience of dealing with clients with mental health issues and is very experienced in issues of fitness to plead and stand trial, as well as the 'forensic' sections of the Mental Health Act (MHA). David was an Independent Mental health Advocate before coming to the bar.

In addition he has experience in appellate matters, particularly advice on appeals out of time and currently has been granted leave in relation to an IPP imposed for robbery in 2007.

## *Professional Discipline & Regulatory*

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David was a consultant to The Football Association's Regulatory Advocates Department in the 2016/17 season conducting over 30 hearings before Regulatory Commissions and Appeal Boards of The FA.

David has significant experience of the application of FA rules and conducted cases encompassing all areas under The FA's jurisdiction including:

the only FA Competition appeal of the 16/17 season,  
on-field discipline,  
conduct in the Technical Area,  
anti-doping regulations,  
social drugs use,  
social media comments,  
financial irregularities in club ownership/affairs,  
player contracts,  
transfers and safeguarding.

David has experience in a number of areas of regulatory prosecution including food hygiene, environmental regulations, health and safety and asbestos regulations.

David was recently appointed to the General Dental Council's (GDC) list of appointed specialist advocates.

## *Judicial Review & Public Law*

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As a result of his experience before the Administrative Court, David is increasingly instructed to advise on public law challenges in and outside of extradition law.

He has frequently provided advice in relation to prison law in the UK.

## *Criminal Prosecutions - Private & Public*

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David has experience in a full range of criminal matters and is instructed in serious criminal cases and accepts instructions in Private Prosecution cases.

## *Asset Recovery, Civil Fraud & Confiscation*

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David has been instructed to act for both prosecution and defence to provide advice and representation in confiscation and cash forfeiture proceedings.

## *Immigration*

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David is also familiar with immigration proceedings, particularly where they are related to extradition and is instructed to provide representation and advice. In his last case proceedings were stayed as an abuse of process following oral submissions.

## *Inquests & Inquiries*

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David accepts instructions in relation to Public Inquiries and Inquests.

## *Cases of Note*

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### **Atraskevic v Lithuania [2015] EWHC 131 (Admin)**

Junior, led by David Josse QC, represented the Appellant in the first case to give full guidance on the approach to be adopted by the Court when answering the statutory questions posed in the Forum Bar.

### **Kulibaba v USA [2014] EWHC 176 (Admin)**

Acted as junior counsel in this American extradition request relating to multi-million pound

allegations of banking fraud. The Divisional Court proceedings centred around the concept of double jeopardy and abuse of process in extradition proceedings and the extent to which conduct as compared to outcomes should inform the basis of a finding of double jeopardy.

### **Augusciak v Poland (Unreported, heard 29 Jan 2014)**

Instructed in this long running case, initially winning on grounds of Article 3 ECHR before the case was overturned at appeal in Poland v Augusciak[2012] EWHC 4043 (Admin). Following the retirement of the deputy senior district judge the case became the first to have been remitted to the magistrate's court but continue before a different judge. The case was never opened within the 21 day time limit. On appeal by the requested person it was successfully argued that the interpretation of section 8 Extradition Act 2003 adopted in Morozovs v Latvia [2013] EWHC 367 (Admin) was incorrect and that the 21 day time limit does apply following adjournments under sections 8A and 8B of the Act.

### **A and Others v Lithuania [2014] EWHC 437 (Admin)**

David was acting for two of 7 extradition Appellants, led by David Josse QC in what will become the leading authority on prison conditions in Lithuania and the use of assurances within the EAW scheme. It is the first time such wide ranging and significant assurances have been used within Europe, and became significantly complicated by breaches of those assurances between first instance and appeal.

### **J and Others v Lithuania**

David was acting for 4 requested persons, led by David Josse QC in the second conjoined case on prison conditions in Lithuania and the use of assurances within the EAW scheme before the senior district judge.

### **R v J - Hove Crown Court, June 2015**

Client accused of money laundering related to the unlawful sale of prescription drugs acquitted following submissions at the close of the prosecution case.

### **R v Shaun Gould (Court of Appeal Criminal Division) [2011] EWCA Crim 2348**

Successful appeal against deterrent sentence imposed for burglary.

## *Accreditation*

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