

Graeme L. Hall



Call: 2011

Email: g.hall@doughtystreet.co.uk

Profile



What the directories say

Chambers and Partners recognises Graeme as “***a consummate advocate, who is utterly tenacious***”, and as someone who is “***a very good, nuanced advocate, who has excellent command of authorities. He challenges the law in a unique way, gaining excellent results in interesting areas.***”. Legal 500 describes Graeme as “***a clever, hard-working and***

passionate junior”, “persuasive, tenacious and well regarded defence extradition advocate” and as someone who is “very intelligent, thorough and leaves no stone unturned.”

Overview

Graeme specialises in the defence of high-value, complex fraud and international money laundering extradition requests. Recent and ongoing examples include the successful representation of **Corey de Rose** against a USA extradition request for a multimillion-dollar cryptocurrency fraud; the successful representation of **Gabriel Popoviciu** against a multimillion-euro land transaction fraud extradition request from Romania; the ongoing representation of **Mehul Choksi** in his challenges in Antigua and Barbuda against an Indian extradition request for an alleged fraud of a national bank worth over \$1 billion; and, advising the Hong Kong businessman **Joseph Lau** in his constitutional challenges to the Hong Kong Extradition Bill. Graeme regularly defends extradition requests for other serious criminal allegations, including murder and rape, further details of which can be found under the section “Extradition”.

Graeme is also a founder member of the **Centre for the Enforcement of Human Rights International** (CEHRI), which conducts public interest litigation with a focus on war crimes atrocities in Syria. Graeme previously worked extensively on death row in Uganda and continues to litigate death penalty cases before the Privy Council. Graeme conducts litigation before the full range of international bodies, including the European Court of Human Rights, the UN Human Rights’ Committee, the UN Working Group on Arbitrary Detention, the UN Special Rapporteur on Torture, and INTERPOL.

Graeme undertakes an increasing amount of complex criminal work. He successfully represented **Lescene Edwards** before the Privy Council where the Board quashed his conviction for murder and declared that his constitutional right to a trial within a reasonable time had been violated. Graeme has also successfully represented a significant number of sub-postmasters and sub-postmistresses before the Court of Appeal arising from the **Post Office scandal**.

Education

2011: Bar Professional Training Course, City Law School (Outstanding)

2009: MA in Healthcare Ethics & Law (2009), University of Manchester (Distinction)

2007: LL.B (Hons) English Law & French Law, University of Manchester/Lyon Université Jean Moulin III (Upper Second Class)

Languages

French

Related practice areas

Extradition

Criminal Law

Criminal Appeals

Administrative & Public Law

International Human Rights Law

Public International Law

Inquests and Public Inquiries

International Law

Foreign Jurisdiction Work

Extradition

Graeme is recognised as the go-to defence extradition junior. Graeme proactively works with his instructing solicitors to compromise extradition requests without having to go to Court. Graeme has built up a significant pool of contacts across the globe including lawyers, prison experts, and political experts. To safeguard a person's reputation, Graeme understands the benefit of, and routinely works with, distinguished private investigators, reputation management professionals, and private security firms.

Graeme successfully represented **Corey de Rose** whose extradition was sought by the USA for an alleged cryptocurrency fraud worth \$8.5 million. The Court found that a combination of Mr de Rose's mental health condition and suicide risk meant that extradition would be both oppressive and a disproportionate interference with his right to a private and family life; and, further concluded that Mr de Rose could be prosecuted for the offences in the UK.

Graeme also successfully represents **Gabriel Popoviciu** whose extradition is sought by Romania for involvement in an alleged multimillion-euro land transaction fraud. The High Court concluded that Mr Popoviciu had not been tried before an independent and impartial tribunal and had thereby suffered a "*complete denial*" of his fair trial rights, contrary to Article 6 of the European Convention. This is the first time that the High Court has discharged an EU extradition request on the basis that extradition represented a real risk of a "*flagrant denial*" of a person's fair trial rights.

Graeme successfully represented Ms **Arti Dhir**, whose extradition to India was sought for an allegation of child murder. The Court discharged Ms Dhir from the request as it concluded that, if convicted, she faced an irreducible life sentence, which sentence would be inhuman, contrary to Article 3 of the European Convention.

In a similar vein, Graeme is at the forefront of challenging extradition requests due to inhuman and degrading prison conditions. He recently successfully represented **Vasile Stanciu** against an extradition request from Armenia due to the real risk of inter-prisoner violence and Armenia's inadequate assurances. Graeme also recently successfully represented **Muhamet Durra** against an extradition request from the Republic of North Macedonia due to overcrowding and poor prison conditions. A similar successful result was secured in **Ghenadie Sirbu's** case, sought to serve a 10 year sentence in Moldova, where the court concluded that the Moldovan prison conditions were inhuman or degrading, and the Moldovan assurances were inadequate.

Graeme also successfully represented **Gursharan Singh** who, along with two others, was sought by India to face prosecution for the murder of a politician in the Punjab. The Court accepted that the evidence provided by the Indian authorities was insufficient to make out a case to answer. This follows on from Graeme's successful representation of Mr **Hasem Bazlah**, wanted by France in relation to allegations of a people smuggling conspiracy, where the High Court concluded that the extradition request provided such an inadequate description of the offending that he had to be discharged.

Furthermore, Graeme has had considerable success defeating extradition requests by arguing that extradition would breach his clients' rights to a private and family life, as protected by Article 8 ECHR. Recent examples include:

- Mr **Daniel Lamaj**, sought by Italy to serve a sentence of 4 years for involvement in an international criminal organisation importing large amounts of heroin, cocaine and hashish from Albania to Italy, with onward export to Germany. Mr Lamaj was discharged due to lengthy delay coupled with the impact his extradition would have on his wife and children.
- Ms **Marina Horvath**, sought by Hungary for her alleged involvement in a conspiracy to defraud elderly Hungarians said to be worth £500,000. Ms Horvath was discharged as she is the sole carer for a 2 year old child.
- Ms **M**, sought by Italy to serve a 5 year sentence for infanticide. The Court discharged Ms M due to the impact extradition would have on her son with Down's Syndrome.

Other important successes include the representation of:

- Mr **Ioan Oprea**, sought by Poland to serve a 2 year sentence for burglary, discharged by the High Court for Poland's failure to afford him a retrial in circumstances where he was not deliberately absent from trial.
- Mr **Andy-Richard Iancu**, sought by Romania to serve a 2 year sentence, discharged as the assurance provided by the Romanian government was inadequate to safeguard against inhuman and degrading Romanian prison conditions.
- Mr **Frederick Osu**, sought by Spain for alleged involvement in an international "lottery" fraud, discharged as the extradition request represented a "*wholesale failure*" to provide an adequate description of the offending.
- Mr **David Getachew**, sought by Italy to serve a 4 ½ year sentence for marital rape, discharged as he was tried in his absence in breach of his fair trial rights, and was not entitled to a retrial.
- Ms **Veronica de Zorzi**, wanted by France for allegations of drug smuggling from 2000, discharged by the High Court on the basis that it was oppressive to extradite her due to the passage of time. This is a key authority on the definition of when someone is to be considered a "*fugitive*" in law.
- Mr **Martin Jedlika**, sought by Slovakia to serve a 3 year sentence for an offence of grievous bodily harm, discharged as he was tried in his absence and was not entitled to a retrial.
- Mr **B**, alleged to be involved in the trafficking of minors from Africa to Europe, discharged by the High Court on the basis that the Italian extradition request represented a "*wholesale failure*" to provide an adequate description of the offending.
- Mr **Egidijus Zuolys**, wanted by Lithuania for murder, discharged on the basis that Lithuania does not have provision to disaggregate aggregate sentences, and that extradition would breach his right to speciality protection.
- Mr **Eduard-Marian Vlangar**, wanted by Romania for various sentences, discharged due to inadequate speciality protection in Romanian law. The courts eventually ruled the proceedings against Mr Vlangar to be a "*charade*" and "*little short of scandalous*" by the courts.

International Law

Graeme has a high-profile international practice.

Graeme represents Mr **Mehul Choksi**, an internationally successful businessman in the jewellery trade. Mr Choksi is accused of being a part of a conspiracy to defraud an Indian national bank of more than \$1billion. This complex case involves significant litigation in Mr Choksi's home country of Antigua and Barbuda, including: challenges to an extradition request issued by India; a constitutional challenge to the decision of the Antiguan Prime Minister to revoke Mr Choksi's citizenship; and, a constitutional challenge to the Antiguan government's failure effectively to investigate Mr Choksi's abduction and forceful removal from Antigua. Graeme successfully persuaded INTERPOL to delete Mr Choksi's Red Notice on the basis that the evidence demonstrated that India had connived to abduct him Antigua.

Graeme was also instructed to advise Mr **Jospeh Lau**, a Hong Kong national and billionaire businessman, in his constitutional challenge to the Hong Kong Extradition Bill. The Bill would have permitted extradition to take place from Hong Kong to mainland China. The case involved complex issues of constitutional and public international law regarding the status of Hong Kong and its legislative process under the "*one country, two systems*" politico-legal regime. The Hong Kong government discontinued the Bill following mounting political pressure and legal challenges.

Graeme successfully represented Mr **Lescene Edwards** before the Privy Council in an appeal from Jamaica against his 2013 conviction for the murder of his partner. The case involved a constitutional challenge to the failure to try Mr Edwards within a reasonable time; the admissibility on appeal of fresh evidence on gunshot residue, blood spatter and ballistics; and challenges to the compromised nature of the handwriting expert evidence adduced against him at trial.

Graeme also represents Mr **Eden Charles** before the Privy Council in his appeal against the decision of the Prime Minister of Trinidad and Tobago to revoke his appointment as the deputy permanent representative to the United Nations. The case raises interesting issues regarding the use of prerogative powers under national and international law, as well as issues of discrimination and workers' international rights protections.

Graeme is currently instructed to represent **Nyron Erickson**, resident in the British Virgin Islands, whose extradition is sought by the United States for allegations of money laundering. The case is currently before the Privy Council, which will consider the extent to which the DPP is required to give reasons for issuing a certificate, which precludes a requested person

from arguing that his extradition is barred by forum (i.e. that he should be prosecuted in his home country rather than be extradited). This is the first time that such a certificate has been issued, and it is therefore of considerable importance both under the English Extradition Act, and to territories in the Caribbean which apply the same (or similar) legislation.

Graeme is also a founder member of the **Centre for the Enforcement of Human Rights International** (CEHRI), which conducts public interest litigation in Austria and around the world. CEHRI's work includes UN and OSJI funded projects focussed on securing justice for Syrian torture victims. As part of CEHRI, Graeme provides advice and assistance on a range of issues from historic child sex abuse claims to the representation of **Kamran Ghaderi**, a dual Austrian – Iranian national, whose detention in Iran the UN Working Group on Arbitrary Detention found to be in breach of rudimentary international legal protections.

Criminal Law

Graeme undertakes an increasing amount of criminal litigation, especially appellate work. Graeme successfully represented Mr **Lescene Edwards** before the Privy Council in an appeal from Jamaica against his 2013 conviction for the murder of his partner. The case involves a constitutional challenge to the failure to try Mr Edwards within a reasonable time; the admissibility on appeal of fresh evidence on gunshot residue, blood spatter and ballistics; and challenges to the compromised nature of the handwriting expert evidence adduced against him at trial.

Graeme has also successfully represented victims of the Post Office scandal before the Court of Appeal. In **Hawkes and others**, the Court of Appeal ruled that the sub-postmasters' prosecutions and convictions were an abuse of the Court's process as the evidence against them arose from software, Horizon, which was replete with bugs, errors or defects, and which produced unsubstantiated shortfalls.

Public Law

Graeme accepts instructions across the spectrum of public law.

Recent and ongoing work includes:

- **R (Williams) v Shropshire County Council** (led by Nicholas Bowen QC) – successful challenge to library closure decision.

- **R (HH) v Camberwell Magistrates' Court** – challenge to a magistrate's decision not to stay the prosecution as an abuse of process.
- **R (Harkins) v SSHD** (with Edward Fitzgerald QC and Ben Cooper) – Articles 3 and 6 ECHR challenges to the Home Secretary's decision to extradite the claimant where he faces a mandatory sentence of life without parole if convicted.
- **R (Hadland) v Rhondda Cynon Taf County Borough Council** (with Nicholas Bowen QC) – successful consultation challenge to library closure decision. Click [here](#) for further information.
- **R (Irfan) v SSHD** (with John Jones QC) – challenge involving the compatibility of the notification requirements contained in Part IV of the Terrorism Act 2008 with Article 8 ECHR.
- **R (DW) v Bromley Magistrates' Court** – successful challenge to the Magistrates' refusal to appoint special measures for the claimant's trial.

Inquiries and Inquests

Graeme provides legal advice and representation to bereaved families at Inquests, which extends to civil claims against the police and health Trusts, and judicial reviews of coroners' decisions.

Recent and ongoing work includes:

- Inquest touching on the death of **CW** – Inquest before HM Assistant Coroner for Nottinghamshire concerning the death of a vulnerable young woman detained in Rampton Hospital. The inquest will explore the adequacy of the observations policy and staff training (instructed by Irwin Mitchell Solicitors).
- Inquest touching on the death of **Luke Rhoden** – Inquest before HM Assistant Coroner for Warwickshire concerning the death of a young man while in Ibiza Spain. The jury gave a critical narrative which found that the police in Ibiza caused or contributed to Luke's death by the use of excessive force. Graeme continues to assist Luke's family in the fight for justice in Spain. The case received much media attention - see [here](#) for more background (instructed by Russell & Co Solicitors, and with the assistance of REDRESS).

- Inquest touching on the death of **Luisa Mendes** – Inquest before HM Assistant Coroner for Warwickshire concerning the death of a woman in circumstances where the police did not respond to a 999. The jury gave a critical narrative and the police subsequently provided the family with an apology and compensation. The case received a much media attention – see [here](#) and [here](#) for further background (instructed by Hodge, Jones & Allen solicitors).
- Inquest touching the death of **Nico Reed** – HM Senior Coroner for Oxford found that Article 2 ECHR applies in private care homes (believed to be one of the first of such rulings following the Supreme Court decision in P v Cheshire West), and ruled that the death of Nico, a profoundly disabled young man, could have been prevented. This sad case generated much media interest – click [here](#) for further information (instructed by Irwin Mitchell Solicitors).