

Amelia Nice



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Profile

What others say

"An excellent practitioner renowned for her combined interests of family law and extradition matters" "She's got a lovely style of advocacy and is particularly good with vulnerable clients."
- Chambers and Partners 2018

"An "all-rounder" who attracts praise for her legal acumen and expert client handling skills. She has developed particular expertise in handling extradition matters involving children, particularly those concerning child abduction and trafficking." - Chambers and Partners 2018

"She adopts a warm approach to extremely anxious people but also has a very strong legal mind." - Chambers and Partners 2018

"She has developed a subsequent expertise in handling extradition matters involving children, particularly those concerning child abduction and trafficking. Sources praise her for the way she communicates with vulnerable witnesses and defendants. " - Chambers and Partners 2017

"She is easy to deal with and very good on Article 8 crossover work.", "Her analytical skills are praiseworthy."

- Chambers and Partners 2016

"She's extremely straightforward in her approach and clients love her." - Chambers and Partners 2015

Profile

Amelia is a barrister specialising in extradition, human rights and public law, and is ranked in Chambers and Partners as a leader in the field of Extradition at the London Bar. The majority of her work involves human rights related arguments and she has particular expertise in cases concerning children's rights.

Amelia accepts Direct Public Access instructions.

Amelia currently serves as junior counsel to the Independent Inquiry into Child Sexual Abuse.

Education

University of Leeds, Philosophy and Politics, 1st

University of Cardiff, Critical Theory

BPP Law School: Graduate Diploma in Law and BVC

Related practice areas

Extradition

Inquests and Public Inquiries

Mediation

International Human Rights Law

Children's Rights Group

Extradition & International

Amelia is a leading specialist extradition practitioner, consistently recognised as a leader in the field by Chambers & Partners. She has acted and advised on behalf of defendants and requesting states in cases of the utmost gravity for over a decade. She has a particular interest in human rights arguments and children's human rights.

Amelia advises judicial authorities nationally and internationally on securing extradition

requests to this country in relation to grave offences, notably historic child abuse and sex offences, from territories such as America, Australia, Costa Rica, Canada, Nigeria, Pakistan and South Africa.

Amelia she is also is instructed to advise in cases where individuals may be 'at risk' of extradition seeking to head-off extradition requests before a warrant has been issued. This includes challenges to extradition requests issued in this country for the return of an individual to the United Kingdom. She also advises on challenging INTERPOL Red Notices.

She is experienced in related applications for injunctions, Judicial Review, habeas corpus and applications for interim relief from the European Court of Human Rights pursuant to Rule 39.

She also has a track record running cases overlapping with care proceedings, child abduction and trafficking and her practice includes international children work. She is also experienced at representing highly vulnerable people, including via intermediaries.

She has acted in advised in cases raising all possible reasons for resisting extradition and her expertise encompasses every area of work in the extradition field.

Amelia has written and lectured on extradition for over a decade and provides training on a range of issues concerning extradition.

Children's rights

Amelia is currently instructed as junior counsel to the Independent Inquiry into Child Sexual Abuse and the Lambeth Investigation, in particular; an inquiry into the extent of any institutional failures to protect children in the care of Lambeth Council from sexual abuse and exploitation.

She has particular experience with FGM Protection Orders, a subject on which she also conducts training.

Amelia is also instructed in those cases where international family matters coincide with extradition proceedings in respect of child abductions and her advice is increasingly sought in representing the interests of the children who are involved.

Public Law & Inquests

Amelia acts and advises in judicial review proceedings. She has been instructed in cases concerning challenges to the issue and execution of search warrants and in judicial review proceedings concerning education law, prisoner's rights and immigration. She was junior in the case of Kammash and Ors, a large judicial review action brought by Iraqi nationals alleging mistreatment whilst in the custody of the British army. Amelia also has Inquest experience.

Mediation

Amelia is an accredited mediator and barrister specialising in human rights, extradition and public law. She has particular expertise in children's rights, and she is currently instructed counsel for the Independent Inquiry into Child Sexual Abuse. She is known for having "*a warm approach to extremely anxious people*" and "*a very strong legal mind.*" (Chambers and Partners, 2018).

Amelia has been a mediator since 2011 and it is an aspect of her work she is highly committed to. She believes mediation is a dynamic process which can transform people's experience of the matter in dispute and enable the parties to positively reach a final settlement.

Amelia undertakes mediation instruction in the context of civil claims. This has included co-mediating disputes. The cases have included those arising in respect of education and children, contract claims regarding unpaid debts, neighbour disputes and probate. She is happy to undertake work throughout the UK, and in relation to disputes arising in a broad range of legal specialisms.

Amelia is also a member of the training faculty for ADR-ODR International and regularly participates in their mediation training courses.

CASES OF NOTE

- L and Others [2017] EWHC 3532 (Fam) Public law adoption
- Owda v Greece [2017] EWHC 1174 (Admin) There was no real risk that a person requested by Greece on suspicion of human trafficking would be transferred to either of two Greek prisons in which conditions had been held to violate ECHR art.3.
- Czuc v Slovak Republic, 17 May 2017 Extradition appeal allowed on the basis of

passage of time oppression and injustice. The Appellant's extradition was sought by the Slovak Republic in respect of a very old allegation and the Appellant is now a man in poor health.

- PA v Portugal [2017] EWHC 331 (Admin) Successfully represented the Appellant on the principle that the lower court must have information about her child. Best interests; Care proceedings; Children; Delay; Extradition; Fresh evidence; Fugitive offenders; Ill health; Medical treatment; Right to respect for private and family life.
- Wieszka v Poland [2017] EWHC 168 (Admin) Successful appeal against an order extradition made when the person was unrepresented. Activation; Extradition hearings; Fresh evidence; Fugitive offenders; Litigants in person; Right to respect for private and family life; Suspended sentences.
- Iacob v Romania [2017] EWHC 155 (Admin) European arrest warrants; Particulars; Sentencing; Theft.
- Lagocki v Poland [2015] EWHC 3641 (Admin) Divisional court case regarding hearings in absence.
- Czach v Poland [2016] EWHC 1993 (Admin) Guideline case re the approach to be followed in relation to applications for a stay in extradition cases that involved issues related to the Extradition Act 2003 s.11 and s.14 and ECHR art.8 pending the resolution of an application for permission to appeal to the Supreme Court in Wisniewski v Poland [2016] EWHC 386 (Admin), which raised those issues.
- Matusiak v Poland [2016] EWHC 1631 (Admin) Dual criminality.
- Polish Judicial Authorities v Ors [2015] EWHC 1274 (Admin) Divisional Court test case on the application of Article 8.
- Sas v Poland [2015] EWHC 648 (Admin) Mr Justice King allowed an extradition appeal in relation to an EAW on Article 8 grounds in relation to a 53 year old woman.
- ST v Ministry of Justice, Lithuania [2014] EWHC 4397 (Admin) Mr J Collins allowed an extradition appeal in relation to an EAW on Article 8 grounds. Although the Appellant was sought to serve a prison sentence in relation to various offences committed in 2004 and 2007, including a serious assault, the interests of his 5 year old daughter who suffers from a very rare heart condition had not been full taken into account by the District Judge.
- Puc v Poland [2014] EWHC 3455 (Admin) It had been disproportionate under the ECHR art.8 to order the extradition of a Polish woman who had received a two-year suspended sentence in Poland, and who had served 14 months there on remand. The district judge had been wrong to say that she was a fugitive either by coming to the United Kingdom, or failing to notify the UK probation service of a change of address.
- Croatia v Dokic, September 2014 On 16 September 2014, District Judge Ikram

discharged two European Arrest Warrants ('EAW') from Croatia for the extradition as an abuse of process. In an extraordinary set of circumstances, Croatia issued the EAWs against Mr Dokic, having previously convicted his identical twin brother in Croatia of almost identical frauds. Those frauds involved the twin posing as Mr Dokic and conducting frauds in his name. The Croatian Judicial Authority failed over a period of 10 months to properly respond to the factual questions raised by Mr Dokic and by the extradition court.

- B v Lithuania, 3 March 2014, unreported Successfully represented a mother to a young child and baby sought to serve a sentence in Lithuania. Case discharged by Mr J Ouseley on Article 8 grounds, in particular, that the mother would be separated from the baby.
- R (Jugan) v Romania [2014] EWHC 460 (Admin) Instructed by the National Crime Agency (NCA) in a case in which it was held that a certificate issued by the Serious Organised Crime Agency under the Extradition Act 2003 s.2(7) was valid, notwithstanding the use of an electronic signature system.
- Ihnat v Czech Republic [2014] EWHC 626 (Admin) Successfully represented the Appellant in a case discharged on the basis that the domestic amnesty in place covered some of the offences and thereafter that the passage of time rendered extradition unjust.
- Aleksynas & Ors v Lithuania, Divisional Court, [2014] EWHC 437 Lead case before Divisional Court address prison conditions in Lithuania. Represented Appellant P who's appeal was allowed and EAW discharged.
- B v Poland, April 2014 Acting for single mother sought on an EAW but who is also engaged in Care Proceedings in this country. The Appellant was discharged.
- S v Poland, December 2013 Successful appeal on behalf of a single mother. Wilkie J paid particular attention to the information about S's background (domestic violence) and that the impact on her daughter who, though a teenager, would be such that the whole stratum of family life would be destroyed.
- Jasek v Poland, December 2013 [2013] EWHC 4186 (Admin) Represented the Polish IJA in a case raising discrimination and the filing and service of appeal notices. The appeal was dismissed; Article 14 not engaged as the Appellant was not a British citizen.
- B v Poland, December 2013 Represented the Polish IJA; B was sought for offence amounting to kidnap and torture. He raised Article 8, particularly in respect of his daughter who had been born with a genetic disorder. Appeal was dismissed.
- Neuman v Poland, March 2013 [2013] EWHC 605 (Admin) Successful appeal on behalf of N who was sought to serve a short prison sentence; extradition found to be a disproportionate interference with his Article 8 rights.

- *Wolokowicz & Ors v Poland & 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
- *Pomiechowski v Poland* [2012] UKSC 20 Leading authority on what constitutes valid service and the discretion of the courts to extend time for filing and service in the case of British citizens.
- *Kolanowski v Poland*, [2009] EWHC 1509 (Admin) Conduct described in a European arrest warrant ('EAW') constituted an extradition offence and the fact that the individual concerned suffered from a heart condition was insufficient in the circumstances to make his extradition oppressive.
- *Hewitt & Woodward v Spain* [2009] EWHC 2158 (Admin) EAWS in respect of H and W were sufficiently specified. The issues raised as to one of the appellant's fitness to plead were not sufficient to prevent extradition and could be dealt with by the trial court.
- *R (Faisal Ltd & 6 Ors) (Claimants) v (1) Preston Crown Court (First defendant) (2) Chief Constable of Lancashire (Second defendant) (3) HMRC (Interested party)* (2008) [2008] EWHC 2832 (Admin) A case concerning challenges to multiple search warrants.
- *R (Kammash & Os) v MOD* Judicial review of adequacy of Royal Military Police investigation into abuse allegations made by 7 Iraqi citizens in 2007.