



Laura Herbert.

Year of call Call:

Barrister • 2009

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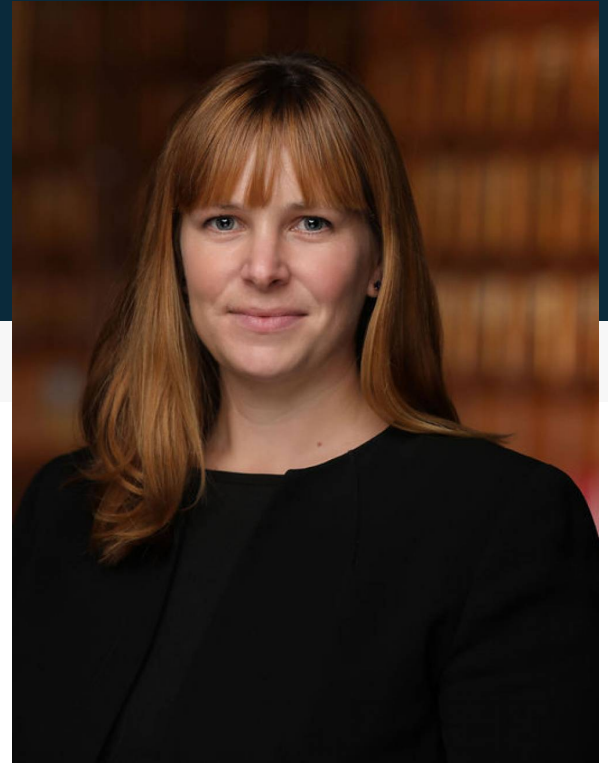
What others say:

- *'Laura is an excellent lawyer whose analysis is spot on. She is particularly adept at getting to the heart of the matter. Her submissions are clear and to the point. She is consistently fair and has the trust of judges.'* **Legal 500 - International Crime and Extradition, Leading Juniors Tier 2, 2025**
- **Legal 500 - International Crime and Extradition, Leading Juniors Tier 2.**

Practice profile:

Known for her clear and cogent advice she is a persuasive advocate specialising in extradition, regulatory and criminal law. Her practice is built upon robust advocacy skills and her ability to understand her clients' needs and provide clear guidance. She has over 11 years of expertise in extradition law and regularly appears in the High Court before the Single Judge and Divisional Court on extradition appeals. Laura has been involved in leading complex cases involving arguments on the application of EU law and directives, Human Rights and modern-day slavery.

Laura acts for both the requesting state and the individual which gives her a broad understanding of arguments raised on both sides. Laura also advises individuals pre-request, and has advised



Present and recent instructions:

- **Lithuania v RS**- Acting for victim of human trafficking who suffered from complex PTSD accused of 'importing' (buying small amount of cannabis from Netherlands). Warrants discharged under s.21A Extradition Act 2003
- **AN v Romania**- Acting for Romania, both at Westminster and High Court. Issue whether multiple re-issuing of warrants is an abuse of process
- **PT v Romania**- Acting for Romania in application to High Court to re-open in light of new evidence of abuse in prison- Article 3 ECHR and Article 8 ECHR arguments
- **B v Slovakia**- High Court appeal on behalf of Slovakia -issue Article 8 ECHR

prosecutors on the merits of issuing extradition requests and has successfully defended judicial review proceedings relating to extradition matters.

As part of her regulatory practice Laura has advised on criminal prosecution, negotiations with trade unions and undertaken independent reviews on compliance. She has worked with a range of regulators from the Bank of England to the Civil Aviation Authority ('CAA').

Laura also represents registrants at fitness to practice hearings before their professional bodies and with her High Court experience undertakes appellate work in this area, advising on appeals made by the Standards Agency ('PSA').

Laura accepts instructions in crime from both the prosecution and defence. She has run successful defences to s.18, possession with intent to supply class A, and a multi-handed robbery in the Central Criminal Court.

and improper consideration of expert evidence

- **H v Poland**- Acting for the appellant in a High Court appeal under s.20 (following Supreme Court decisions in Bertino and Merticariu)
- **Inquest (Death of SH)** - acting for the family in Article 2 inquest in relation to suicide in custody
- **Inquest (Death of RK)** - acting for mental health nurse following death in institution as a result of methadone overdose
- **LF v EWC**- advised LF on appeal, drafted perfected grounds as a result of which EWC accepted issues with FTP decision. Agreed consent order varying conditional registration order to reprimand.
- **NMC v CB**- FTP hearing for midwife accused of racism and bullying. Of matters found proved, no finding of impairment made.
- **SD v DBS**- Permission granted at oral hearing for worker in children's care home for breach of professional boundaries, to be heard before UT
- **DK v DBS**- Permission granted on papers for care worker accused of deliberately restricting exit of vulnerable service user. To be heard before UT

Qualifications:

- BA(Hons) History, University of York
- LLB (Hons) Law, College of Law
- Major scholarship (2008), Inner Temple

Appointments:

- CPS Extradition Panel – Level 3
- CPS Panel (Crime)- Level 2
- SFO Panel – C

Laura is qualified to accept instructions from clients through the [Direct Access scheme](#).

Serious crime:

Laura qualified at the bar undertaking only criminal defence work and therefore has many years of experience in this area. She is a persuasive and unwavering advocate which is matched by her written arguments. She puts her clients first and is not afraid to make 'difficult' applications/ raise novel defences.

Laura is experienced in cases where extradition and regulation cross over into criminal prosecution and provides advice to both prosecution and defence in this area.

Laura is on the SFO Panel C and is a CPS Level 2 prosecutor.

Notable serious crime cases:

CAA v Henderson- Cardiff Crown Court

Junior Counsel acting for the CAA in the successful prosecution of the operation of the aircraft who organised the flight taken by the footballer Emiliano Sala which crashed into the sea killing the footballer and the pilot.

<https://www.bbc.co.uk/news/uk-wales-59251852>

Ibrahim v CPS [2016] EWHC 1750 (Admin)

Case stated on issue of res gestae evidence

R v Sayed [2014] EWCA Crim 282

Successful appeal against a manifestly excessive sentence

R v Greenwood [2013] EWCA Crim 2613

Successful appeal against a historic IPP sentence

Professional discipline and regulatory law:

Laura undertakes significant work in this area advising regulators on a diverse range of issues. She has acted for the Civil Aviation Authority ('CAA') for a number of their domestic prosecutions including acting as Junior Counsel for them.

Laura acts for the registrant before many of their professional body panels including:

- Nursing and Midwifery Council
- Health and Care Professions Council
- Education Workforce Council

- Social Work England

- General Pharmaceutical Council

She has been successful defending serious and complex cases involving instruction of relevant experts and cross-examining prosecution experts. Laura also drafts advices on defending PSA appeals, appealing panel decisions and has significant High Court experience. She is quick at understanding the important facts and makes complex legal issues easy to understand for her clients.

Laura has also acted representing professionals' interests at inquests before the Coroner and provides advice on issues relevant to these inquests.

Extradition:

Laura is instructed to both defend and prosecute Trade and Cooperation Agreement Warrants ('TACA warrants) for Category 1 and 2 territories.

Laura's extensive experience and clarity of thought ensures she gains the confidence of those who she represents and achieves excellent results.

Laura's experience includes:

- Advising on defending TACA warrants, European Arrest Warrants and Category 2 warrants arguing both 'technical' issues, Human Rights, and the application of EU and international law
- Drafting skeleton arguments and statements of issues and appearing at extradition hearings
- Drafting applications for permission to appeal, and applications to certify a question for the Supreme Court
- Appearing before the High Court on extradition appeals, both as junior alone and led junior
- Advising individuals on 'pre-request' negotiations.

Laura is on the CPS Extradition Panel – Level 3

Notable extradition cases:

Brockwell v Westminster Magistrates Court [2022] EWHC 1662 (Admin) – Judicial Review before the Divisional Court considering the application of s.8B Extradition Act 2003 for a requested person wanted by Ireland on an arrest warrant but is serving an IPP and discretionary life sentence in the UK. See press article: <https://www.dailyrecord.co.uk/news/crime/notorious-paisley-criminal-serving-22-27421707>

Lewandowski v Polish Judicial Authority [2021] EWHC 2049 (Admin) - successful extradition appeal under s.21A Extradition Act 2003- the District Judge failed to consider the 'proportionality bar' in his decision and if he had done would have found extradition disproportionate for such a minor offence.

Patman & Another v Slovakia [2020] EWHC 3512 (Admin) – extradition appeal on behalf of the requested person arguing ‘Forum Bar’ under s.19B Extradition Act 2003. The requested persons were accused of conspiracy to murder. See press article:

<https://www.dailymail.co.uk/news/article-9078653/Afghan-man-plotted-kill-daughter-converted-Judaism-extradited.html>

R v Poland [2018] EWHC 3696 (Admin)

Representing the requested person who had been a victim of human trafficking from Poland. He was a key witness in the first successful prosecution for modern day slavery. For the full article see: <https://www.bbc.co.uk/news/uk-48736957>

Cimieri v Italy [2018] 1 W.L.R. 2833

Key case arguing that the bar under s.12A (lack of prosecution decision) could be argued using extrinsic evidence

Danco v Czech Republic [2017] EWHC 1300 (Admin)

Successful challenge to extradition arguing extradition was not proportionate under s.21A Extradition Act

Lukaszewski v Poland [2017] EWHC 1615 (Admin)

Successful argument that public order type offence was not an ‘extradition offence’

Wisniewski v Poland [2016] 1 WLR 3750

Leading case on the meaning of ‘fugitive’.

