



Laura Herbert.

Year of call

Barrister • 2009

laura.herbert@crucible.law

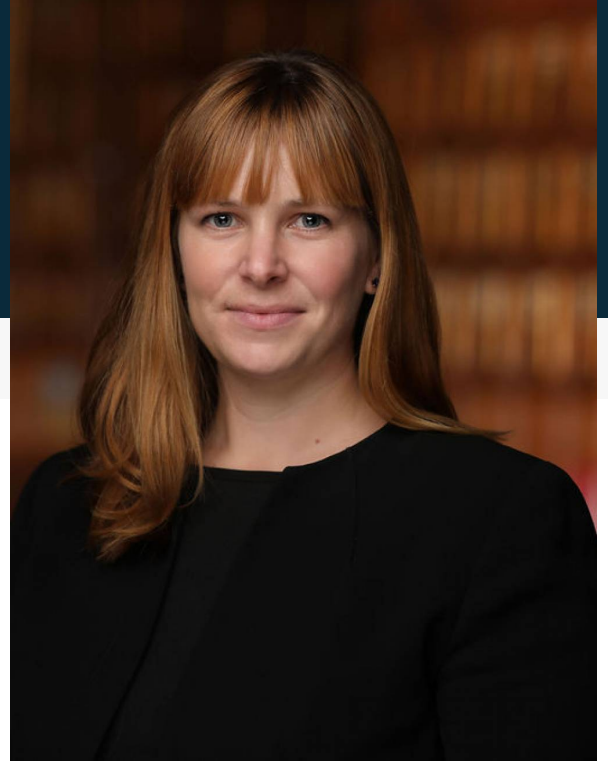
Practice profile:

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 9 years of expertise in extradition law and regularly appears in the High Court on extradition appeals and 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 prosecutors on the merits of issuing extradition requests.

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.

Laura also represents registrants before their professional bodies and with her High Court experience undertakes appellate work in this area, advising on appeals made by the Profession



Qualifications:

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

Appointments:

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

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

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.

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:

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 for a number of their domestic prosecutions as well as having advised on their regulatory

issues at inquests and appeals against their regulatory decisions.

Laura has acted for the registrants before many of their professional body panels including the HCPC, NMC and GPC. She has been successful defending complex cases involving instruction of relevant experts and cross-examining prosecution experts.

Laura also drafts advices on defending PSA and appeals by the professional body and has significant experience appearing before the High Court. She is quick at understanding the important facts and makes complex legal issues easy to understand for her clients.

Extradition:

Laura is instructed in both EAW and Category 2 territory cases and has advised and represented both individuals and requesting states. 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 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 2

Notable extradition cases:

MP and DS v Slovakia (ongoing)

Permission to appeal granted on written grounds arguing 'Forum Bar' under s.19B Extradition Act and Article 5 Framework Decision. The requested persons are accused of conspiracy to murder.

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'.

