

## Ben Watson



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*"A silk in waiting."* **The Legal 500 2020: International Crime and Extradition**

*"A real class act, who combines excellent understanding of the law with brilliant judgement."*  
**Chambers UK 2020: Extradition**

*"Smart and bright, he gets points and develops points. A great advocate."* **Chambers UK 2019: Civil Liberties & Human Rights**

*'A clever and brilliant lawyer – one of the finest extradition juniors around.'* **The Legal 200 2019: International Crime and Extradition**

*"Extremely bright and hard-working, he is a formidable opponent for silks and juniors alike."*  
**Chambers UK 2019: Extradition**

### Details of practice

Ben is one of the country's leading juniors in crime, extradition, and public law. He is regularly instructed to act for individuals in high-profile extradition cases, as well as in criminal cases, particularly those with an international or public law dimension. He is a member of the Attorney General's A Panel, and has been on the Attorney's Civil/Public law Panels for over 10 years. In that capacity, Ben is regularly instructed in high-profile and complex cases, especially involving issues of national security and human rights.

#### Crime, extradition, and international mutual legal assistance

Ben has been involved in many of the leading extradition cases on international terrorism, the European Arrest Warrant scheme, as well as various high-profile allegations of fraud and other 'white collar' crime.

Having been instructed for the UK Government before the European Court of Human Rights in many of the leading authorities on extradition and human rights (including *Abu Hamza, Bary, Al Fawwaz, Ahmed, Aswat, and Wellington*), he has acted in a series of high-profile cases for the Home Secretary (including, *Gary McKinnon*) and foreign governments (for example, the South African request for the extradition of *Shrien Dewani*, and the French request for *Alexandre Djouhri*, wanted for fraud and corruption offences arising out an investigation into Nicolas Sarkozy's Presidential election campaign).

With that background, Ben now regularly acts for clients resisting extradition, particularly in complex cases raising issues of political corruption, abuse of process, and human rights conditions abroad. His current and recent defence instructions therefore include extradition proceedings initiated by the Russian Federation, Iraq, the UAE, Turkey (for *Hamdi Ipek*, Chairman of Koza Ipek Holdings), and India (for *Vijay Mallya*, Chairman of United Breweries Group, and former CMD of Kingfisher Airlines).

Ben also still prosecutes and defends in the Crown Court in his own right, with white collar crime and related asset recovery proceedings his particular areas of interest. Recent instructions for the defence in these areas include an SFO LIBOR prosecution (*SFO v Johnson*); an SFO prosecution arising out of the collapse of Torex (*SFO v Loosemore*); an FSA prosecution for insider dealing (*FSA v Calvert*); and two on-going SFO investigations into bribery and corruption.

In addition, Ben regularly acts and advises in confiscation, cash forfeiture and civil recovery proceedings in the Crown Court, High Court and County Courts.

Last year, Ben was instructed in the first 'Unexplained Wealth Order' for the wife of the former Chairman of the International Bank of Azerbaijan.

#### Public law including judicial review and human rights

Ben is regularly instructed in leading public law cases, particularly those with national security and/or criminal features. He was instructed for the Secretary of State in four 'TPIM' (Terrorism Prevention and Investigation Measures Act 2011) proceedings brought against members of Al-Muhajiroun, as well as the first 'Temporary Exclusion Order' (under the Counter-Terrorism and Security Act 2015) imposed on a returnee from ISIL-controlled territory.

Ben also acted for the Metropolitan Police in *Miranda v Met Police*, following the stop and questioning of an associate of Edward Snowden's at Heathrow under anti-terrorism powers; and is regularly instructed by the Foreign Office and Ministry of Defence in cases arising out of UK military operations abroad. In other public law work, Ben's instructions have included acting for the Government in the judicial review claim concerning the burial site of *Richard III*, and proceedings challenging the UK's decision to pursue a prison training contract with Saudi Arabia.

Between 2011 and 2016, Ben was appointed as a Special Advocate by the Attorney General, and in that capacity acted for a wide variety of clients including Ms Zatuliveter, a former Parliamentary researcher for a Lib-Dem MP who was accused of being a Russian spy; Messrs Omar & Njorge, who alleged UK involvement in their rendition from Kenya to Uganda; and in a recent challenge to EU sanctions targeting Iran's nuclear proliferation activities.

#### **Other areas of interest**

Ben is also frequently instructed to appear at Coroner's inquests, and undertakes police disciplinary proceedings, civil actions against the police, and immigration cases.

## **Directory recommendations**

*"His paperwork is superb and he's highly regarded by judges."* **Chambers UK 2020: Admin & Public**

*"He's really smart, very switched on, proactive in his work and incredibly dependable."* **Chambers UK 2020: Civil Liberties & Human Rights**

*"Ben is undoubtedly one of the best juniors in extradition. He never stops thinking about a case and is extremely persuasive in court."* **Chambers UK 2020: Extradition**

*"A calm and impressive advocate, adept at arguing for both claimants and the government."* **The Legal 500 2020: Civil Liberties & Human Rights**

*"He's fantastically hard-working, easy to work with and a team player."* **Chambers UK 2019: Admin & Public**

*A "super-bright" junior with vast experience in cases concerning European Arrest Warrants and extradition relating to international terrorism issues.* **Chambers UK 2019: Extradition**

*"He is completely dedicated to his cases and is always on top of them."* **Chambers UK 2019: Extradition**

*'Excellent lawyer. Good with clients, judges and solicitors.'* **The Legal 500 2019: Civil Liberties & Human Rights**

*A "genius" junior with vast experience in cases concerning European Arrest Warrants and extradition relating to international terrorism issues.* **Chambers UK 2018: Extradition**

*"Very hard-working and has a great ability to master the detail of a case. He is very technically able and a powerful advocate who is able to command the confidence of the court."* **Chambers UK 2018: Extradition**

*"He is a really excellent advocate. Very clear and persuasive."* **Chamber UK 2018: Administrative and Public Law**

*'Phenomenally bright.' 'Judges really love him and his legal analysis is brilliant.' 'He has a great degree of charm as an advocate, but he can be steely when necessary.'* **Chambers UK 2017: Extradition**

*'Fantastic, very responsive and very good at strategy.' 'Energetic, enthusiastic, bright and effective. Reassuring to have him on your team.'* **Chambers UK 2017: Administrative and Public Law**

*"He is clever and hard-working and really impresses with his cross-examinations. He is a star of the future."* **Chambers UK 2016**

*"He is very very smart, gets on well with clients, is very industrious and offers a rounded view in his advice."* **Chambers UK 2016**

*"He is phenomenal, very good with the clients and user-friendly." "He is one of the first people who comes to mind, and is extremely good."* **Chambers UK 2015**

*"He's in a different league to many juniors. He's extremely accessible and really good at giving advice."* **Chambers UK 2015: Public & Administrative Law**

*"Ben Watson is the 'cleverest man in chambers' according to his peers who note his 'exemplary drafting skills' and 'easy manner with clients'."* **Chambers UK 2016: Criminal Fraud 2016**

*'He is extremely assiduous and hard-working, and has a great eye for detail. A very reliable person to have on your team.'* **Chambers UK 2015: Civil Liberties & Human Rights**

*"One of the most impressive juniors in the field."* **The Legal 500 2014: Civil Liberties & Human Rights**

## **Education/professional qualifications**

MA Hons (Cantab)  
Diploma in Law  
Hardwicke Entrance Award (Lincoln's Inn) 2000  
Lord Denning Scholar 2001  
Cholmely Scholar 2002  
Sir Louis Gluckstein Prize for Advocacy 2002

## Appointments

Attorney General's A Panel 2016  
Attorney General's B Panel 2011  
Attorney General's C Panel 2006  
Attorney General's Special Advocate's Panel 2011-2016

## Publications

Contributor to *Criminal Confiscation and Civil Recovery*, Oxford University Press.  
Contributor to *National Security Law, Procedure and Practice*, Oxford University Press (publication date, late 2019).

## Direct access

Ben Watson is qualified to accept instructions direct from clients under the Bar Council's Public Access Scheme. This means that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme.

For further information please contact our Clerks.

## Notable cases

### **India v Vijay Mallya**

The Indian extradition request for the former CMD of Kingfisher Airlines.

### **NCA v Mrs Hajiyeva**

The first 'Unexplained Wealth Order' made against the wife of the former Chairman of the International Bank of Azerbaijan.

### **YZ v SSHD**

Instructed for the Secretary of State in the first 'Temporary Exclusion Order' proceedings under the Counter-Terrorism and Security Act 2015.

### **Belhaj v DPP**

Heard by the Supreme Court in March 2018. The appeal concerned the availability of a 'Closed Material Procedure' in criminal judicial review proceedings.

### **LF & IM, JM, LG v SSHD**

Four 'TPIM' (Terrorism Prevention and Investigation Measures Act 2011) proceedings brought against members of Al-Muhajiroun.

### **R (River East Supplies Ltd) v Crown Court at Nottingham**

Instructed for the UK Central Authority in mutual legal assistance proceedings on the confidentiality of letters of request.

### **R(oao Ismail) v SSHD**

Heard by the Supreme Court in January 2016. The appeal concerns the SSHD's human rights obligations in the field of international mutual legal assistance.

### **Solicitor General v Cox and Parker-Stokes**

Instructed for the Solicitor General in contempt proceedings brought for publishing photographs taken in court on Facebook.

### **KAB v Ministry of Defence and Foreign & Commonwealth Office**

Acting for the UK Government in proceedings issued by three Afghan nationals who claim to have been engaged as spies for the UK in Afghanistan.

### **Russian Federation extradition requests**

Instructed for the defence in numerous separate proceedings, including *Korolev*, *Tyurin*, and *Trefilov*.

### **Miranda v SSHD and Met Police**

Acted for the Met Police following the stop and questioning of David Miranda, an associate of Edward Snowden's, at Heathrow under anti-terrorism powers.

### **Nour v Ministry of Defence**

Judicial review claim challenging the UK's provision of 'defence education' to the Sudanese Armed Forces.

### **Richard III**

Instructed for the Secretary of State for Justice in the judicial review claim concerning the burial site of the King's remains.

**Abu Hamza and others v United Kingdom**

Instructed for the UK Government before the European Court of Human Rights in support of six separate US extradition requests alleging offences of Al-Qaeda related terrorism offences (led by James Eadie QC).

**Gary McKinnon**

Acted for the Home Secretary.

**South Africa v Shrien Dewani**

Instructed for the South African authorities in their request for the extradition of Shrien Dewani accused of conspiring to murder his wife while on honeymoon in Cape Town.

**Secretary of State v Ekaterina Zatuliveter**

Acted as Special Advocate for Ms Zatuliveter, a former researcher for the Lib-Dem MP, Mike Hancock, who was accused by MI5 of being a Russian spy.

**Bulgaria v Atanasova**

Successfully resisted two Bulgarian extradition requests accusing the former secretary to the Bulgarian Chief Prosecutor of murdering a fellow legal secretary with an axe. Both requests rejected on the grounds of bad faith/abuse of process.

**Germany v Toben**

Obtained the discharge of Dr Toben who was accused of 'holocaust denial' in a European arrest warrant issued by a German prosecutor.

**Brown et al. v Government of the Republic of Rwanda**

Former local mayor in Rwanda accused of genocide by the Government of Rwanda. Extradition request rejected on the basis that surrender would be incompatible with Article 6 (right to a fair trial) due to the absence of an independent and impartial tribunal in Rwanda. For the defence.

**Meadow v General Medical Council**

Led by the Attorney General intervening on the issue of expert witnesses' immunity from suit.