

Rachel Scott

Call: 2004



Rachel Scott is recognised by both Chambers UK and Legal 500 for her significant expertise in financial crime, international crime and extradition, and was awarded the Crime Junior of the Year Award by Chambers UK in 2022.

She acts for corporates and individuals facing investigation for fraud and corruption allegations, as well as receiving regular instructions from the Serious Fraud Office in her capacity as A-Panel counsel. She has a wealth of experience advising on internal investigations and regulatory compliance, often with a cross-border focus. In the field of extradition, Rachel represents foreign governments, issuing judicial authorities and requested persons both at first instance and on appeal. She has acted in numerous reported cases, including in the Supreme Court, the Privy Council and the European Court of Human Rights.

From 2018 until 2020, Rachel worked as part of Clifford Chance's white collar team in Paris, acting for Airbus SE in the cross-border investigation conducted by the UK, French and US authorities, which led in January 2020 to the world's largest global resolution for corporate bribery allegations.

Financial Crime

Rachel has a wealth of experience in the field of financial and corporate crime. She acts for individual and corporate clients under investigation for offences of fraud, corruption, money laundering and anti-competitive practices, giving advice on pre-charge matters as well as offering representation throughout any ensuing proceedings. She also prosecutes for the Serious Fraud Office, having been a member of its panel counsel list for over a decade, and A-Panel counsel since 2017. Recent and current instructions include acting for an individual in the Petrofac investigation; for an individual facing an FCA misconduct investigation; and for the SFO in a foreign bribery investigation.

In such complex and cross-border investigations, she brings to bear her experience of international law, advising on questions of extradition, mutual legal assistance and double jeopardy. She also acts in linked civil claims in the Commercial Court, as well as in international arbitration proceedings, and has particular expertise on questions of self-incrimination and civil contempt. She appeared as part of the SFO's counsel team in the high-profile civil claim brought by ENRC, tried before the Commercial Court in the summer of 2021.

Rachel's litigation practice is complemented by her breadth of experience in advising corporate clients on the conduct of internal investigations, particularly those with a cross-border focus. Recent experience includes conducting internal investigations in the aerospace, mining and financial services sectors, examining issues such as bribery and corruption, compliance with export control, human rights and safeguarding, insider dealing and data protection. She also regularly advises companies on their compliance policies and procedures with regard to anti-bribery and corruption and anti-money laundering.

Notable Financial Crime cases

- **Petr Aven (2022)**

Acted with Hugo Keith KC for a Russian businessman in judicial review proceedings concerning the overlap between the POCA and financial sanctions regimes (NCA v Westminster Magistrates' Court & others) [2022] EWHC 2631 (Admin)

- **ENRC v SFO [2022] EWHC 1138 (Comm)**

Junior counsel for the SFO in defence of high-profile Commercial Court claim

- **Huawei (2021)**

Acted with James Lewis KC in claim arising out of DOJ investigation into bank fraud allegations against Huawei's CEO (Wangzou Meng v HSBC Bank Plc & others [2021] EWHC 342 (QB))

- **Airbus SE (2018-2020)**

In-house counsel at Clifford Chance Paris, working as part of the white collar team acting for Airbus SE in the investigation conducted by the UK, French and US authorities which led to the company's acceptance in January 2020 of a global resolution including total penalties of €3.6 billion.

- **R v Alstom Network (UK) Ltd (2014-2019)**

Junior counsel for the Serious Fraud Office in its prosecution of a UK subsidiary of Alstom SA, which gave rise to interlocutory litigation establishing a number of important precedents on the law of bribery and corruption and on the rules of evidence, procedure and fair trial in the prosecution of corporate defendants.

- **T v O (2018-2019)**

Representing the defendant in litigation before the Commercial Court concerning the privilege against self-incrimination in the context of a worldwide freezing order.

Extradition & International

Rachel is particularly noted for her expertise in extradition requests alleging financial crimes and corruption, as well as those involving complex issues of political persecution and abuse of process. She is skilled in advising on and drafting applications to Interpol for the removal of red notices issued on political or other abusive grounds.

She also offers specialist advice in relation to 'import' extradition cases, receiving instructions from prosecuting agencies arrest warrants and extradition requests for the return to this jurisdiction of suspected or convicted criminals. At the invitation of the UN, she has provided training to Nigerian prosecutors on fair trial and extradition in the context of terrorism cases.

Rachel is experienced in matters of mutual legal assistance and receives instructions to advise upon and to draft letters of request to foreign states. Rachel also represents individuals and corporates affected by mutual legal assistance requests (including potential suspects and witnesses), offering advice regarding their rights and obligations in connection with the provision of evidence. She has particular expertise in the developing field of enhanced cooperation in digital evidence-gathering, and was consulted by think tanks and NGOs on the impact of the European Parliament's proposals for new E-evidence legislation.

Notable Extradition & International cases

- **Jack Warner – FIFA corruption case (2022)**

Acting for Trinidad & Tobago in a Privy Council appeal arising out of the United States' request for the extradition of Jack Warner, former Vice-President of FIFA, on fraud and corruption allegations

- **Denmark v Patterson (2022)**

Defending Danish extradition request arising out of cum-ex fraud allegations to the value of c. £1 billion

- **R v Hayes**

Prosecution of US airman for death by careless driving, involving conflict of jurisdiction arguments

- **R v S (2017)**

Defending a request for the extradition to Moscow of a former senior executive of the Bank of Moscow, who faced fraud allegations arising out of the hostile takeover of the bank in 2011.

- **F v Belize [2011] UPKC 23 (Privy Council)**

Acting for the respondent in an appeal to the Privy Council concerning the scope of the abuse of process jurisdiction in extradition proceedings in Belize.

- **Harkins v United Kingdom (2017) Application No. 71537/14 (European Court of Human Rights)**

Junior counsel for the human rights charity Reprieve as intervenor in an extradition case concerning whether exposure to a sentence of life without parole in the United States constituted a breach of a prisoner's rights under Article 3 of the ECHR.

- **Bucnys v Ministry of Justice, Lithuania [2013] UKSC 71**

Junior counsel in a Supreme Court case concerning the definition of a judicial authority under the Extradition Act 2003

Public & Administrative

Rachel advises and appears in judicial review applications arising out of criminal and extradition proceedings and mutual legal assistance requests. She also receives instructions to appear at inquests on behalf of a range of interested persons, including families of the deceased and police officers.

She acts for the Independent Office for Police Conduct, having appeared in judicial review proceedings connected with the so-called 'Plebgate' investigation, as well as in proceedings concerning the legality of police officers resigning whilst under disciplinary investigation.

Notable Public & Administrative cases

- **NCA v Westminster Magistrates' Court & others) [2022] EWHC 2631 (Admin)**

Acted with Hugo Keith KC for a Russian businessman in judicial review proceedings concerning the overlap between the POCA and financial sanctions regimes

- **R (on the application of Corbiere Ltd) v Secretary of State for Justice [2017] EWHC 3364 (Admin)**

Representing the claimant in a case concerning the property and fair trial rights of the victims of foreign criminals facing deportation.

- **R (B Ltd) v Serious Fraud Office (2015)**

Acting for the claimant company in an application for judicial review of a notice issued by the Serious Fraud Office under section 2 of the CJA 1987 in connection with a corruption investigation in the Republic of Guinea.

- **R (B) v Commissioner of Police for the Metropolis [2014] EWHC 3041 (Admin)**

Representing the Independent Police Complaints Commission (now IOPC) in judicial review proceedings concerning the legality of police officers resigning during disciplinary investigations.

Notable Cases

Jack Warner – FIFA corruption case (2022)

Acting for Trinidad & Tobago in a Privy Council appeal arising out of the United States' request for the extradition of Jack Warner, former Vice-President of FIFA, on fraud and corruption allegations

R v Alstom Network (UK) Ltd

[2019] EWCA Crim 1318 (Court of Appeal)

Junior counsel for the Serious Fraud Office in a case concerning fair trial principles in the prosecution of corporate defendants.

T v O

(2018-2019)

Representing the defendant in litigation before the Commercial Court concerning the privilege against self-incrimination in the context of a worldwide freezing order.

Harkins v United Kingdom

(2017) Application No. 71537/14 (European Court of Human Rights)

Junior counsel for the human rights charity Reprieve as intervenor in a case concerning whether exposure to a sentence of life without parole in the United States constituted a breach of a prisoner's rights under Article 3 of the ECHR.

R v S

(2017)

Defending a request for the extradition to Moscow of a former senior executive of the Bank of Moscow, who faced fraud allegations arising out of the hostile takeover of the bank in 2011.

R (on the application of Corbiere Ltd) v Secretary of State for Justice

[2017] EWHC 3364 (Admin)

Representing the claimant in a case concerning the property and fair trial rights of the victims of foreign criminals facing deportation.

R v AIL

[2016] QB 763 (Court of Appeal)

Junior counsel for the appellant in a case which clarified the law on the bribery of foreign principals under the Prevention of Corruption Act 1906.

R v A Ltd [2016] 4 WLR 176

Junior counsel for the Serious Fraud Office in a case concerning corporate liability via the attribution principle.

R v R [2015] EWCA Crim 1941

Acting for the Legal Aid Agency in a case giving guidance on digital disclosure in criminal proceedings.

R (B Ltd) v Serious Fraud Office

(2015)

Acting for the claimant company in an application for judicial review of a notice issued by the Serious Fraud Office under section 2 of the CJA 1987 in connection with a corruption investigation in the Republic of Guinea.

R (B) v Commissioner of Police for the Metropolis

[2014] EWHC 3041 (Admin)

Representing the Independent Police Complaints Commission (now IOPC) in judicial review proceedings concerning the legality of police officers resigning during disciplinary investigations.

R (M & others) v IPCC

(2014)

Junior counsel for the Independent Police Complaints Commission (now IOPC) in judicial review proceedings concerning the 'Plebgate' investigation.

Bucnys v Ministry of Justice, Lithuania

[2013] UKSC 71

Junior counsel in a Supreme Court case concerning the definition of a judicial authority under the Extradition Act 2003.

Govt of Algeria v K

[2013] EWHC 4204 (Admin)

Junior counsel for the requesting state in its first extradition request to the United Kingdom. The case concerned the president of one of Algeria's first private banks, accused of serious fraud leading to the bank's collapse amid losses of over \$1 billion.

F v Belize

[2011] UPKC 23 (Privy Council)

Acting for the respondent in an appeal to the Privy Council concerning the scope of the abuse of process jurisdiction in extradition proceedings in Belize.

Govt of Serbia v G

(2010)

Junior counsel for the requesting state in its request for the extradition of the former Bosnian vice-president in connection with war crimes allegedly committed during the conflict in the former Yugoslavia.

Directory Recommendations

"A phenomenal advocate." **Chambers UK 2024: Extradition**

"She is hard-working, firm and fair. Her advocacy is clear, powerful and persuasive." **Chambers UK 2024: Financial Crime**

"She is a superb advocate." **Chambers UK 2024: Financial Crime**

"She is exceptionally proficient and attentive." **Chambers UK 2024: Financial Crime**

"She has a terrific blend of skills including highly persuasive and subtle advocacy, brilliant drafting and a good manner with difficult clients and solicitors." **Legal 500 2024: Business & Regulatory Crime**

"... incredibly dedicated ... and excellent when with clients." **Chambers UK 2023: Extradition**

"A standout junior in extradition who is extremely impressive in court." **Chambers UK 2023: Extradition**

"Rachel is a go-to for advice on really tricky cases." **Chambers UK 2023: Financial Crime**

“She is always able to find a really clear way through complex problems.” **Chambers UK 2023: Financial Crime**

“Rachel is fiercely-intelligent and has a forensic eye for detail. Her advocacy is always impressive and she inspires confidence in clients and solicitors alike.” **Legal 500 2023: Fraud**

“An excellent lawyer who writes brilliantly and is unflappable when on her feet.” **Chambers UK 2022: Extradition**

“She’s very clever, hard-working, committed and very pleasant to deal with – a silk in the making.” **Chambers UK 2022: financial Crime**

“An excellent extradition barrister. She has exceptional judgement and is determined to isolate and then pursue the points that will actually win.” **Legal 500 2022: International Crime and Extradition**

“Rachel is a fantastic asset to her set. A junior who combines experience and intellect.” **Legal 500 2022 Fraud – Crime**

“An impressive junior.” **Chambers UK 2022: Financial Crime**

She has exceptional judgement and is determined to isolate and then pursue the points that will actually win.” **Legal 500 2022: International Crime and Extradition**

“Rachel is a fantastic asset to her set. A junior who combines experience and intellect.” **Legal 500 2022: Fraud – Crime**

“A true expert in this field who is good with clients and incredibly charming.” **Chambers UK 2021: Extradition**

“She is absolutely outstanding.” **Chambers UK 2021: Financial Crime**

“She is impressive and takes on some of the biggest cases.” **Chambers UK 2021: Financial Crime**

“A creative thinker, excellent on her feet and has great client empathy.” **Legal 500 2021: International Crime and Extradition**

“She has fantastic attention to detail.” **Legal 500 2021: Fraud – Crime**

“She’s extremely creative and comes up with lots of smart ideas.” **Chambers UK 2020: Extradition**

“One of the brightest juniors at the Bar, she’s able to process and advise on complex material very quickly, and she’s always on top of the details.” **Chambers UK 2020: Financial Crime**

“An exceptional lawyer, who is really hard-working, a fine advocate and someone whose advisory work is brilliant.” **Chambers UK 2020: Financial Crime**

“An exceptional lawyer, a fine advocate and someone whose advisory work is brilliant.” **Chambers UK 2020: Financial Crime**

“One of the brightest juniors at the Bar.” **Chambers UK 2020: Financial Crime**

“A very fair prosecutor and tenacious defence advocate.” **Chambers UK 2019: Extradition**

“An extremely impressive junior with a great grasp of detail.” **Chambers UK 2019: Extradition**

“Very intelligent, terrific on her feet in court.” **Chambers UK 2019: Financial Crime**

“She is relentless, hard-working and consistent.” **Chambers UK 2019: Financial Crime**

“A smart and creative thinker with a human touch.” **Legal 500 2019: International Crime & Extradition**

“Bright, calm under pressure and knows her papers inside out.” **Legal 500 2019: Fraud: Crime**

“A brilliant advocate who is very charming in court and has the rare ability to manage large cases. She can navigate twenty lever arch files and know her way around all of them.” **Chambers UK 2018: Extradition**

“Highly regarded for her intellectual acumen and her work ethic.” **Chambers UK 2017: Extradition**

“Praised as a growing force in the market.” “A real up-and-coming junior who is a brilliant researcher and writer that delivers things on time and provides high-quality material.” “A rising star who gives very clear advice at extremely short notice and is just an encyclopedia of law.” **Chambers UK 2016: Extradition**

“Extremely easy to work with, she overcomes the most challenging SFO-related issues supremely well.” **Chambers UK 2018: Financial Crime**

“Shows great attention to detail and is very good at talking through difficult points of law.” **Chambers UK 2017: Financial Crime**

Memberships

- Association of Regulatory & Disciplinary Lawyers
- Criminal Bar Association
- Defence Extradition Lawyers’ Forum (Treasurer)
- Extradition Lawyers’ Association
- Fraud Lawyers’ Association

Education

- Bedingfield Scholar, Gray’s Inn (2003)
- David Karmel Scholar, Gray’s Inn (2002)
- Post-graduate Diploma in Law
- Bar Vocational Course
- MusB (Hons), University of Manchester

Appointments

- Bar Council Ethics Committee (2017)
- SFO A-Panel (2017)

Accreditations



WINNER
UK BAR AWARDS 2022

Privacy Statement

I, Rachel Scott, am a data controller and can be contacted at 3 Raymond Buildings, Gray's Inn, London WC1R 5BH or by telephone on 020 7400 6400 or by email at rachel.scott@3rblaw.com. My Data Protection Policy can be found below.

All personal data that I process is for the purposes of providing legal services, conducting conflict-checks, marketing, participating in the activities of professional bodies and associations, defending potential complaints, legal proceedings or fee disputes, keeping anti-money laundering records, receiving training, training other barristers and pupils and when providing work-shadowing opportunities, and/or exercising a right to a lien. The types of data I process vary upon the nature of the legal matter in relation to which I am engaged to advise, but can include names, contact details, biographic details and 'special category personal data' (such as details of racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life and criminal convictions and proceedings).

Depending upon the circumstances of the case, the legal bases upon which I process personal data are (i) the

performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, (ii) the processing is necessary to comply with legal obligations to which I am subject, or (iii) the processing is necessary for the legitimate interests set out above, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection of personal data, in particular where the data subject is a child. When I rely on (iii) legitimate interests, my 'Legitimate Interests Assessment' can be found [here](#). When I process data which has not been obtained directly from the data subject (e.g. personal data contained in evidential materials), it will have been supplied to me as part of my instructions in circumstances covered by legal professional privilege.

Depending upon the circumstances of the case, I may share the personal data with:

1. my Chambers, which supplies professional and administrative support to my practice;
2. Courts and other tribunals to whom documents are presented;
3. my lay and professional clients;
4. potential witnesses, in particular experts, and friends or family of the data subject;
5. solicitors, barristers, pupils, mini pupils and other legal representatives;
6. ombudsmen and regulatory authorities;
7. current, past or prospective employers;
8. education and examining bodies;
9. business associates, professional advisers and trade bodies.

I retain personal data for no longer than 15 years after the case has come to an end or as otherwise required by law.

I do not intend to transfer data to any country which is not either within the European Union, 'white listed' by the EU or otherwise permitted by EU law (eg to the USA under the provisions of the 'Privacy Shield').

Under the GDPR, data subjects whose personal data I process have the right to request from me access to, and rectification or erasure of, their personal data, the right to the restriction of processing concerning them, the right to object to processing as well as the right to data portability. Data subjects also have the right to lodge a complaint with the Information Commissioner's Office (ico.org.uk).

In cases where there is a contract between me and the data subject, the provision of personal data is a contractual requirement and the data subject is obliged to provide the personal data in order that I can supply legal services. A failure to provide such data may mean that I will not be able to provide the legal services.

Rev 1.0 – 29.05.2018

[Data Protection Policy](#)

[Legitimate Interests Assessment](#)

Direct Access

Rachel Scott 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 her. In addition, she 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](#).