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Myles Grandison

Year of Call: 2002

Practice Areas

- Extradition
- Inquests
- Public Law

Attorney General Panel

Appointed to B panel

Email:

mgrandison@tgchambers.com

Awards



Experience

Myles specialises in public law with a particular focus on extradition; representing individuals sought by countries across the globe. Myles also advises clients on issues such as prisoner transfer, freezing of assets and mutual legal assistance.

Myles was appointed to the Attorney General’s Civil Panel of Counsel, B Panel (London) in September 2020, having spent 4 years on the C Panel.

Myles has appeared in a number of key cases in the High Court under the Extradition Act 2003, dealing with issues such as convictions for contumacy; disproportionate sentences; the applicability of the “slip rule”; and the demarcation between warrants issued where the Requested Person is accused and those where they are merely wanted for investigation. In addition to statutory appeals, Myles has appeared in prison law and immigration judicial reviews, where there has been an extradition element to the challenges.

Myles has written numerous articles on the subject of extradition, has lectured both in the UK and Europe, and was consultant to the authors of “Extradition law: a practitioner’s guide”.

Since being appointed to the Attorney General’s Panel, Myles has devoted a great deal of his practice to immigration law, prison law and inquests.

In relation to the former, he has appeared in a variety of cases covering a range of issues before both the High Court and the Upper Tribunal. Furthermore, he has accrued particular expertise in relation to civil penalties imposed on employers and haulage companies.

In relation to prison law, Myles has appeared in both the High Court and the Court of Appeal. He has dealt with issues such as procedural fairness, delay and sufficiency of reasons provided

by Parole Boards, as well as advising on judicial review challenges brought against Independent Adjudicators.

Myles has appeared on behalf of the Ministry of Justice at a number of inquests over the years, following deaths in custody. He has accrued particular experience at dealing with self-inflicted deaths which have occurred in prisons.

Directories

“He has an acute eye for detail and a wonderful court demeanour.” (*Legal 500 2021*)

“He is brilliant on technical points and is a very persistent advocate.”

“A very sound and cerebral extradition lawyer who can think of points that others don’t.”

“A very trusted junior. His research is phenomenal and his advocacy is always remarked upon by judges.”

“Myles is extremely hard-working and his preparation is absolutely meticulous.” (*Chambers and Partners 2020*)

“His preparation and knowledge are first-rate.” (*Legal 500 2020*)

“Increasingly instructed as a leading junior at the junction of extradition and immigration.” (*Legal 500 2019*)

“He is a very thorough barrister whose research skills are second to none.” (*Chambers and Partners 2019*)

“A refined legal thinker, who leaves no stone unturned for his clients.” (*Legal 500 2018*)

“His knowledge of extradition is fantastic. He is a good barrister to instruct because you get a very honest and detailed appraisal of the case.” (*Chambers and Partners 2018*)

“He is just absolutely dedicated to his clients.” “He has a thriving defence practice, and is somebody that’s quite meticulous in his preparation.” (*Chambers and Partners 2017*)

“Very impressive”, “an extremely able court advocate”; “concise and easily understood”; and “attracting high quality work in the extradition arena”. (*Chambers and Partners - previous editions*)

Appointments

Attorney General’s Civil Panel – B Panel Counsel – September

2020 -

Memberships

DELF

Cases

R. (on the application of Morris) v. The Parole Board and The Secretary of State for Justice

[2020] EWHC 711 (Admin)

25.03.2020

Barristers involved: Myles Grandison

Appeared on behalf of the Secretary of State for Justice before a Divisional Court (Irwin LJ and McGowan J).

The Claimant sought to challenge the Parole Board's guidance on dealing with un-proven allegations when assessing risk to the public. The Court dismissed the Claimant's challenge that the SSJ was under a duty to obtain a witness summons to secure statements pertaining to the allegations from the Police.

Shields-McKinley v. The Secretary of State for Justice

[2020] Q.B. 521

14.11.2019

Barristers involved: Myles Grandison

Appeared on behalf of the Secretary of State for Justice in the Court of Appeal.

The Appellant appealed against the decision of Mr Justice Holroyde (as he then was) in finding that the prison was not under a duty to credit days spent in custody whilst awaiting extradition, absent a direction from the Court.

The Court of Appeal dismissed the challenge, whilst providing useful guidance on the availability of the Royal Prerogative of Mercy in such circumstances.

Kotsev v Sofia District Public Prosecutor's Office, Bulgaria

[2019] 1 WLR 2353

16.11.2018

Barristers involved: Myles Grandison Juliet Wells

The case dealt with whether the District Judge was entitled to find that the Appellant had deliberately absented himself from his trial and whether he was entitled to a re-trial upon his return. The High Court held that the District Judge had erred in seeking to interpret foreign law without the assistance of expert evidence. Furthermore, the bare fact that a requesting state was a signatory to the European Convention on Human Rights was not of itself sufficient to show that section 20(5) and (8) of the 2003 Act would be satisfied.

Lis and others v Regional Court in Warsaw, Poland and others

[2018] EWHC 2848 (Admin)

31/10/2018

Barristers involved: Myles Grandison

The seminal domestic authority on the rule of law changes in Poland and how they impact upon our extradition arrangements with that country. Led by Mark Summers QC. The matter was heard by a Divisional Court comprising the Lord Chief Justice.

R (on the application of Troitino) v National Crime Agency

[2017] All ER (D) 144 (Apr)

28.05.2017

Barristers involved: Myles Grandison

Led by Julie Anderson. The case dealt with whether the Applicant, whose extradition had been ordered to Spain, had made a valid asylum claim. The Court held that no asylum claim had been made. Accordingly, extradition could take place.

Regina (Shields-McKinley) v Secretary of State for Justice and Lord Chancellor

[2017] 1 WLR 3705

05.04.2017

Barristers involved: Myles Grandison

The case dealt with section 243 of the Criminal Justice Act 2003 ("CJA 2003") and the requirement for a sentencing Judge to state, in open court, the number of days taken into account whilst a prisoner was awaiting extradition. The High Court held that section 243 was compliant with Article 26 of the European Arrest Warrant Framework Decision (2002/584/JHA).

BS v Court of First Instance Brussels (Belgium)

[2017] All ER (D) 172 (Mar)

22.03.2017

Barristers involved: Cathryn McGahey QC Myles Grandison

Led by Cathryn McGahey QC. The case dealt with whether a Requesting State had an ongoing duty to consider proportionality throughout the extradition process. After the handing down of judgment, the Judicial Authority withdrew the EAW.

Cretu v Local Court of Suceava, Romania

[2016] 1 W.L.R. 3344

26.02.2016

Barristers involved: Myles Grandison

Led by John Jones QC. The case dealt with the status of the Council Framework Decision 2009/299/JHA in domestic law following the United Kingdom's decision to opt into a number of measures on 1st December 2014 within the field of Police and Judicial Co-operation in Criminal Matters.

Ijaz v Court of Milan, Italy

[2015] 1 W.L.R. 5097

13.03.2015

Barristers involved: Myles Grandison

Led by Mark Summers QC on behalf of Mr Ijaz who successfully challenged the order for extradition, as neither a decision to charge nor a decision to try had been taken in Italy.

Regina (Neteczka) v Governor of Holloway Prison

[2015] 1 W.L.R. 1337

27.06.2014

Barristers involved: Myles Grandison

Led by Mark Summers QC in successfully obtaining a writ of habeas corpus, thereby nullifying a decision by a Master to retrospectively extend the required period for her removal. Following this decision, Ms Neteczka was discharged by Westminster Magistrates' Court on the basis that "reasonable cause" had not been shown for the delay in her removal.

R. (on the application of Klimeto) v Westminster Magistrates' Court

[2013] 1 W.L.R. 420

19.07.2012

Barristers involved: Myles Grandison

Led by Helen Malcolm QC in this successful challenge to a District Judge's decision to re-open extradition proceedings by relying on section 142 of the Magistrates' Courts Act 1980.

Publications

A Practical Guide to Extradition Law Post-Brexit

09/09/2021

Authors: Kathryn Howarth Myles Grandison Daniel Sternberg Benjamin Seifert Émilie Pottle Saoirse Townshend Emily Wilsdon Juliet Wells

Published on 6 September 2021 by the TGC Extradition Team.

News

Extradition to Russia refused

29/11/2021

Barristers involved: Myles Grandison

The RP raised a number of challenges to his extradition to Russia. The Chief Magistrate found that extradition would breach the RP's rights under Articles 3 and 6 of the European Convention on Human Rights.

Furthermore, the Senior District Judge found that extradition should be barred by reason of extraneous considerations. In so finding, he adopted the "wide" definition of "political opinions", as opposed to the narrower approach that had been applied over much of the past decade at Westminster Magistrates' Court. This change in approach brings the extradition jurisprudence in conformity with the stance taken by the courts in asylum cases.

Myles was led by Hugo Keith QC and instructed by Edward Grange, Anna Rothwell and Peter Bowles at Messrs Corker Binning.

A Practical Guide to Extradition Law Post-Brexit

09/09/2021

Barristers involved: Kathryn Howarth Myles Grandison Daniel Sternberg Benjamin Seifert Émilie Pottle Saoirse Townshend Emily Wilsdon Juliet Wells

The TGC Extradition Team is delighted to announce the publication on 6th September of 'A Practical Guide to Extradition Law Post-Brexit'. Find it at www.lawbriefpublishing.com/ExtraditionLawPostBrexit. A 10% off discount code can be found [here](#). [Kathryn Howarth](#); [Myles Grandison](#); [Daniel Sternberg](#); [Benjamin Seifert](#); [Émilie Pottle](#); [Saoirse Townshend](#); [Emily Wilsdon](#); [Juliet Wells](#).

Webinar - An Introduction to Extradition Law - Understanding the Basics

11/02/2021

Barristers involved: Kathryn Howarth Myles Grandison Daniel Sternberg Benjamin Seifert Saoirse Townshend Emily Wilsdon
The TGC Extradition team invites you to a webinar. For further details and to register please follow the link below.

You can view the publication at

<https://www.mblseminars.com/Outline/An-Introduction-to-Extradition-Law---Understanding-the-Basics---Webinar/12952/>

Webinar - A Practical Guide to Extradition Law Post-Brexit

30/11/2020

Barristers involved: Myles Grandison Daniel Sternberg Emily Wilsdon Saoirse Townshend Benjamin Seifert Kathryn Howarth
Further details are available in the attached flyer. To register please email events@tgchambers.com **WEBINAR INVITE**

UK risks losing extradition powers after Brexit

24/11/2020

Barristers involved: Kathryn Howarth Myles Grandison Daniel Sternberg
Kathryn Howarth, Myles Grandison and Daniel Sternberg have written an article which is published in Accountancy Magazine, you can read the article in the attached PDF.

You can view the publication on our website <http://tgchambers.com>

Attorney General Civil Panel Appointments

19/08/2020

Barristers involved: Nicholas Moss QC Myles Grandison William Irwin Emily Wilsdon Scarlett Milligan

A Panel

Nicholas Moss reappointed

B Panel

Myles Grandison

William Irwin

Emily Wilsdon

C Panel

Scarlett Milligan

The impact of Brexit on the EAW

29/04/2019

Barristers involved: Myles Grandison

Whilst, post Brexit, the default position will be to conduct new extradition proceedings under the European Convention on Extradition, Myles highlighted a number of disadvantages that this approach will have over the existing model.

You can view the publication at https://twitter.com/_ECLAN_?lang=en

Appeal against extradition to Bulgaria

04/12/2018

Barristers involved: Myles Grandison Juliet Wells

The judgment also provided helpful guidance on the extent to which courts can interpret matters of foreign law in the absence of expert evidence.

The appeal was subsequently allowed on 3rd December 2018.

Myles and Juliet were instructed by Chris Stevens at Sonn Macmillan Walker.

Sian Reeves, Rhys Davies and Myles Grandison address an event at the United Nations in Geneva

27/06/2018

Barristers involved: Sian Reeves Rhys Davies Myles Grandison

Sian Reeves chaired the event relating the torture and ill-treatment of women in UAE's prisons.

Rhys Davies highlighted the human rights violations committed against women in the UAE, and the cruel, degrading and inhuman treatment that they are subjected to whilst in UAE prisons.

Myles Grandison focused on extradition between the UK and the UAE, and the refusal of the UK courts to extradite to the UAE in view of the current conditions in UAE prisons.

Event in Parliament on detentions in Saudi Arabia

12/06/2018

Barristers involved: Rodney Dixon QC Myles Grandison Aidan Ellis

The invitation for the event is below. It will take place on Wednesday 13 June at 5.30pm and be held in Conference Room A, 1 Parliament Street entrance.

You can view the publication at <https://www.eventbrite.ca/e/shrouded-in-secrecy-detentions-in-saudi-arabia-tickets-46653901074>

Rule of Law - Impact of legislative amendments in Poland on extradition

08/06/2018

Barristers involved: Myles Grandison Benjamin Seifert

The Court heard argument as to whether the recent changes to the rule of law in Poland could lead to a breach of Article 6 ECHR and whether the courts that issued the European Arrest Warrants would now satisfy the definition of a 'Judicial Authority'.

The Court has reserved its judgment.
