



## Saoirse Townshend

Year of Call: 2010

### Practice Areas

- Extradition
- Inquests
- Inquiries
- Public Law

### Public Access

Undertakes Public Access work

### Attorney General Panel

Appointed to C panel

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### Twitter:

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### Experience

Saoirse has a dynamic court and advisory practice specialising in extradition and public law.

Saoirse is instructed alone and is led in complex and novel points of law before the Supreme Court and the Divisional Court. She represents requested persons and requesting states in extradition proceedings; as well as interested parties in inquests concerning deaths in custody, and is instructed on prison law matters. She is currently instructed as first junior counsel to the Brook House Inquiry.

Saoirse has appeared alone and has been led in some of the defining extradition cases of the past few years.

On Article 6 ECHR, it was argued that the Appellants could no longer obtain fair trials due to the controversial Constitutional changes to the judiciary between 2017-18 (*Lis and Lange v Poland* [2018] EWHC 2848 (Admin); [2019] EWHC 674 (Admin)).

In relation to prison conditions (Article 3 ECHR), Saoirse has been instructed in the lead cases relating to a plethora of EU countries: Lithuania (*Bartulis v Lithuania* [2019] EWHC 504 (Admin)); (France (*Shumba, Henta and Bechian v France* [2018] EWHC 1762 (Admin)); Bulgaria (*L. Georgiev, I. Dimitrov and B. Georgiev v Bulgaria* [2018] EWHC 359 (Admin)); Hungary (*GS v Hungary* [2016] EWHC 64 (Admin)) and Italy

(*Elashmawy v Italy* [2015] EWHC 28 (Admin)).

On suicide risk, Saoirse was instructed in *Bobbe v Poland* [2017] EWHC 3161 (Admin) an extradition appeal which changed the legal test following the new CJEU case of *CK and others v Slovenia* [2017] 3 CMLR 10. In addition, following this case, she successfully represented the Appellate requested person in *Debiec v Poland* [2017] EWHC 2653 (Admin) in one of the first cases in which the s.26 bar has been successful in EAW cases since *Poland v Wolkowicz* [2013] EWHC 102 (Admin).

On the charge/try bar, she represented an Appellate requested person in the lead case of *Puceviciene v Lithuania* [2016] EWHC 1862) on s.12A; which provided new definitions of “charge” and “try”. Saoirse has also represented both Requested Persons (*Turkey v Koc*; *Albania v Koleci*; *Albania v Sultan Dragjoshi and USA v Okeakpu*) and Requesting States (*Turkey v Charles* [2017] ACD 84) in complex Part 2 cases.

In addition, Saoirse is instructed in judicial review proceedings arising out of extradition and criminal proceedings. She won the first judicial review in the area where the requested person in extradition proceedings was not removed within the statutory time period (see *R (on the application of Mechlinksi) v Westminster Magistrates’ Court* [2015] EWHC 2043 (Admin)). She has also published a chapter on Judicial Review in *Extradition Proceedings in Criminal Justice Review* (Hart, 2014).

Saoirse’s public law practice is also thriving. Since the beginning of her practice, Saoirse has represented Claimants in the First Tier and Upper Tribunal (Immigration and Asylum Chamber) on a wide range of issues, from asylum to EEA Visa and ETS cases. In April 2019, Saoirse was appointed to the Attorney General’s C Panel of Junior Counsel. She regularly appears before the Upper Tribunal (Administrative Appeals Chamber), County Courts and Coroner’s Courts in a variety of cases relating to and including social security appeals, inquests and civil claims made by prisoners.

Saoirse compliments her practice with her interest for international human rights work. This began as a legal researcher at the Humanitarian Law Centre in Belgrade and advising in the foreign policy department in Washington D.C. for the late Senator Ted Kennedy. Adapting her advocacy skills from the court-room to the field, Saoirse is regularly posted on OSCE election monitoring missions in ex-Soviet states. Saoirse has also acted as pro-bono counsel in refugee camps in Chios, Greece following the EU-Turkey deal.

## Directories

"A very strong junior counsel who continues to develop a sophisticated extradition practice both as a jury and an appellate advocate. She is particularly well versed in European Arrest Warrant cases, and acts for both requesting governments and requested persons. Townshend has appeared in the Supreme Court in cases relating to European Arrest Warrants".

"A brilliant lawyer with a sharp mind and an unwavering determination to protect her clients."

"She is incredibly capable and always impresses with her thoroughness."

"Very good at identifying the issues in cases, she writes extremely persuasively." **Chambers & Partners - 2020 (Band 2)**

"She has very detailed knowledge of the law, and is keen to argue test cases in the extradition field". **Legal 500 2019 (Band 2)**

"A well-regarded junior who continues to develop a sophisticated extradition practice both as a jury and an appellate advocate. She is particularly well versed in European Arrest Warrant cases, and acts for both requesting governments and requested persons. Townshend has appeared in the Supreme Court in cases relating to European Arrest Warrants".

"Quickly grasps arguments and gives very considered advice."  
"She's a highly organised individual and a pleasure to work with.. Passionate but realistic, she is very hard-working and adopts an approach which judges like - they instantly trust her..."

Recent work: Represented a vulnerable appellant with post-traumatic stress disorder whose extradition was sought in order that he could serve over five years' imprisonment for drugs offences". **Chambers & Partners, 2019**

"She has a nice manner in court and is very good and efficient on the paperwork". **Legal 500, 2018**

"A very bright and meticulous counsel who has great attention to detail and is very clear and concise in her written work. Saoirse is a creative barrister who is diligent". **Chambers and**

## **Partners 2017**

“She always goes the extra mile and makes valuable contributions to the team”. **Legal 500 2017**

## **Appointments**

Junior Counsel to the Crown - C panel 2019

Crown Prosecution Service Advocate Panel Extradition Panel - grade 3

## **Education**

- GDL and BVC, BPP
- BA (Hons) Politics and Parliamentary Studies, University of Leeds

## **Memberships**

Defence Extradition Lawyers Association

## **Cases**

### **Bartulis v Lithuania**

**[2019] EWHC 504 (Admin); [2019] EWHC 3504 (Admin)**

20.12.2019

Barristers involved: Saoirse Townshend

Saoirse was junior counsel representing one of the Appellants in this appeal before a Divisional Court. The issues decided were: a) whether inter-prisoner violence is such that a violation of Article 3 ECHR can be found; and b) disclosure in extradition proceedings.

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### **Lis, Lange and Chmielewski v Poland**

**[2018] EWHC 2848 (Admin); [2019] EWHC 674 (Admin)**

21.03.2019

Barristers involved: Saoirse Townshend

Saoirse was junior counsel acting for Mr Lange. This was the lead case before a Divisional Court (including the Lord Chief Justice) which determined whether extradition to Poland in all “accusation” cases would be halted. The Appellants argued that due to the political and constitutional changes in Poland since 2015, the judiciary are no longer independent and therefore the Appellants cannot obtain a fair trial pursuant to Article 6 ECHR.

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### **IM v Bulgaria**

**[2019] EWHC 602 (Admin)**

13.03.2019

Barristers involved: Saoirse Townshend

Saoirse successfully represented the Appellant whose appeal was allowed on Article 8 ECHR grounds in light of the Appellant’s vulnerabilities having been a victim of trafficking and forced labour.

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### **Krupeckiene v Lithuania**

**[2019] EWHC 569 (Admin)**

11.03.2019

Barristers involved: Saoirse Townshend

Saoirse was junior counsel representing the Appellant before a Divisional Court in this appeal concerning the definition of a “judicial authority” following three recent CJEU cases.

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### **Balazs v Crown Prosecution Service**

**[2018] EWHC 2540 (Admin)**

21.09.2018

Barristers involved: Saoirse Townshend

Saoirse acted alone against a Silk. She acted for the Respondent in this application for habeas corpus. The law was clarified concerning time limits for removal in extradition proceedings and applications to discharge.

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### **L. Georgiev, I. Dimitrov and B. Georgiev v Bulgaria**

**[2018] EWHC 359 (Admin)**

26.02.2018

Barristers involved: Saoirse Townshend

Saoirse represented Mr Dimitrov in the key extradition appeal where it was argued that the Bulgarian authorities could not be trusted to comply with assurances regarding prison conditions where there was evidence of multiple previous breaches.

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### **Connor, Herbert and Shammas v Germany**

**[2018] EWHC 829 (Admin)**

17.04.2018

Barristers involved: Saoirse Townshend

Saoirse represented Mr Shammas in an extradition appeal where the Appellants were charged in Germany with a multi-million Euro carousel fraud. It was argued that it was an abuse of process to modify the number of offences for which they were sought without particularising them in the European Arrest Warrant.

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### **Shumba, Henta and Bechian v France**

**[2018] EWHC 1762 (Admin)**

12.07.2018

Barristers involved: Saoirse Townshend

Saoirse represented Mr Shumba in the leading extradition appeal on French prison conditions (Article 3 ECHR).

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### **Bobbe v Poland**

**[2017] EWHC 3161 (Admin)**

20.11.2017

Barristers involved: Saoirse Townshend

Saoirse was instructed by the for the judicial authority alone against a Silk and Junior. The Appellant suffered from schizophrenia and argued his extradition was oppressive due to his ill health (s.25 EA 2003). Before a Divisional Court on appeal, Saoirse made persuasive oral submissions that the Appellant’s novel argument regarding a recent CJEU decision (C.K) was inapplicable. The appeal was dismissed.

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## **Alexander v France & Di Benedetto v Italy**

**[2017] EWHC 1392 (Admin)**

15.06.2017

Barristers involved: Saoirse Townshend

Saoirse appeared in the defining “sea-change” extradition appeal which for the first time allowed further information to correct “invalid” European Arrest warrants.

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## **Debiec v Poland**

**[2017] EWHC 2653 (Admin)**

12.10.2017

Barristers involved: Saoirse Townshend

Saoirse represented an Appellate requested person in one of the first cases in which s.25 (oppression due to mental health) has been successful in European Arrest Warrant cases since Poland v Wolkowicz [2013] EWHC 102 (Admin).

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## **Goluchowski v District Court in Elblag, Poland and Sas v Circuit Court and District Court in Jelenia Gora, Poland**

**[2016] UKSC 36**

29.06.2016

Barristers involved: Saoirse Townshend

Saoirse appeared in the Supreme Court in an extradition appeal regarding the validity of European Arrest Warrants.

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## **Puceviciene v Lithuania**

**[2016] EWHC 1862**

22.07.2016

Barristers involved: Saoirse Townshend

Saoirse was junior counsel representing one of the Appellants in this case before the Lord Chief Justice and is now one of the seminal cases on the operation of the s.12A bar to extradition.

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## **Publications**

### **Criminal Justice Review**

30/12/2014

Authors: Saoirse Townshend

Chapter on Judicial Review in Extradition Proceedings.

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## **News**

### **The Coronavirus Act 2020: What Extradition Practitioners Need to Know**

27/03/2020

Barristers involved: Daniel Sternberg Kathryn Howarth Émilie Pottle Saoirse Townshend Benjamin Seifert

The Act makes substantial changes to the use of live links at extradition hearings.

A full briefing note has been prepared by Daniel Sternberg. It is available [here](#).

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On 12 March 2020 Lord Hodge, Lord Sales and Lord Hamblen granted permission to appeal to the Supreme Court in a case will deal with the viability of assurances which purport to guarantee compliance with Article 3 of the European Convention on Human Rights. [Please see link.](#)

On 18 February 2020 the Divisional Court referred the first and perhaps only UK extradition case to the Court of Justice of the European Union. [Please see link.](#)

Chambers is very pleased to welcome Kathryn Howarth, Emilie Pottle and Saoirse Townshend to the [extradition team](#).

[Kathryn Howarth](#) specialises in public international law, extradition and public law. She is on the Attorney General's Public International Law Panel of Counsel and the Attorney General's Civil Panel of Counsel. She is instructed by UK and foreign government departments and individuals. Kathryn is described in the Legal 500 as combining "intellectual strength with an imperturbable, yet reassuring, court manner".

[Émilie Pottle](#) is an extradition, public and international law specialist. She is recommended in the directories across multiple practice areas and has appeared before the Supreme Court, Court of Appeal and Divisional Court. She represents UK and foreign government departments, individuals and NGOs.

[Saoirse Townshend](#) is described in Chambers & Partners 2020 as "A brilliant lawyer with a sharp mind and an unwavering determination to protect her clients." Saoirse has a dynamic court and advisory practice specialising in extradition and public law. Saoirse is instructed alone and is led in complex and novel points of law before the Supreme Court and the Divisional Court. Saoirse is ranked in both Legal 500 and Chambers and Partners.

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## Saoirse Townshend successfully represents a 29 year old Polish man, sought pursuant to a European Arrest Warrant to serve a sentence of imprisonment of two years in Poland for burglary

27/02/2020

Barristers involved: Saoirse Townshend

An important feature of the case was that the Appellant had served 15 months of the sentence whilst on remand in the UK. Expert evidence was adduced that he suffered from depression and that there was a risk of suicide. The Administrative Court (Steyn J) allowed the appeal and quashed the order for extradition, ordering the Appellant's immediate release from custody.

Saoirse was instructed by Chris Stevens at Sonn Macmillan Walker.

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## TGC Welcomes Saoirse Townshend and Anne Coulon to chambers

06/01/2020

Barristers involved: Saoirse Townshend Anne Coulon

We are delighted to announce that **Saoirse Townshend** has accepted an invitation to join Temple Garden Chambers. Saoirse specialises in extradition and public law. She is a member of the Attorney General's "C" Panel.

We are also delighted to welcome **Anne Coulon**, a public international lawyer trained in France, Germany and the United States, to Chambers as an Associate Tenant. Before joining Temple Garden Chambers, Anne spent several years working at the International Court of Justice in The Hague.