



Kathryn Howarth

Year of Call: 2005

Practice Areas

- Extradition
- Inquests
- Inquiries
- Public International Law
- Public Law

Public Access

Undertakes Public Access work

Attorney General Panel

Appointed to C panel

Email:

khowarth@tgchambers.com

Twitter:

<https://twitter.com/thatbarrister>

LinkedIn:

<https://www.linkedin.com/in/kathryn-howarth-b42a9a33/>

Experience

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*".

Public International Law

Kathryn is an experienced public international law practitioner. She acts in domestic proceedings where issues of public international law arise and has represented parties at international tribunals. She has been instructed in the Supreme Court and Court of Appeal in cases involving the interpretation of the United Nations Torture Convention, most recently in the landmark case of *R v TRA* [2019] UKSC. She is instructed in cases involving public international law immunities, including immunities of United Nations personnel. She was junior counsel at the Central Criminal Court in trials involving charges of torture under section 134 of the Criminal Justice Act 1988, in relation to conflicts in Nepal (*R v Lama*) and Liberia (*R v TRA*). She was prosecution counsel in The Hague between 2008 - 2012 in the proceedings against Charles Taylor, the former President of Liberia, who was convicted of war crimes and crimes against humanity. She has worked at tribunals including the Special Court for Sierra Leone in Freetown, the International Criminal Tribunal for Rwanda and the State Court

for Bosnia & Herzegovina.

Extradition

Kathryn is regularly instructed in extradition proceedings at Westminster Magistrates' Court and in the Administrative Court. She has appeared in the Divisional Court acting alone against Queens' Counsel and as a led junior. Kathryn has built up a strong defence practice, successfully representing clients on all aspects of extradition law at first instance and on appeal. She has been instructed in leading cases in relation to the Extradition Act, including the provisions on temporary transfer and the charge or try bar to extradition, as well as complex cases, involving historic war crimes allegations and issues of dual criminality in respect of the International Criminal Court Act 2001. She is currently instructed in a number of cases involving the USA, concerning cyber-crime, drugs trafficking, fraud and money laundering allegations. She has represented requested persons' in cases concerning prison conditions, including in the USA, Romania and Lithuania. She has been instructed in numerous Part 2 extradition requests in countries including South Africa, Albania, the United Arab Emirates and Nigeria. She undertook a secondment with the CPS Extradition Unit in 2013.

Public Law

Kathryn's public law practice includes acting for government departments and individuals in proceedings for judicial review and in relation to inquests, immigration and asylum proceedings and prison law. She is building her practice in relation to inquests and has represented parties in proceedings before the Coroner's Court, including several police forces. Having undertaken a mixed public law and criminal law pupillage, she spent several years at the beginning of her practice representing appellants in asylum and immigration and prison law proceedings. She has returned to these areas following her appointment to the Attorney General's Panel in 2019. Kathryn has many years of prior experience before the criminal courts and has been instructed as a led junior in cases involving very significant disclosure exercises, including war crimes cases with cross-border disclosure issues, as well as large-scale fraud and immigration offences. She is a contributing author in *Criminal Judicial Review* (Hart). Her knowledge of criminal law and procedure make her uniquely well placed to act in cases where issues of criminal, civil and public law intersect.

Directories

Legal 500 2020, Leading Juniors, International Crime and Extradition:

“She combines intellectual strength with an imperturbable, yet reassuring, court manner.”

Legal 500 previous entries:

“A well-rounded, hardworking and energetic advocate”.
“Up and coming junior”.

Appointments

- Attorney General’s Civil Panel of Counsel (C-Panel)
- Attorney General’s Public International Law Panel of Counsel (C-Panel)
- CPS Specialist Extradition Panel – Level 3
- CPS Advocate Panel – Level 3

Education

- M.A. (Cantab)
- LL.M (Public International Law) University of Toronto (Howland Prize for the Most Outstanding Performance on the LL.M)

Memberships

- Lincoln’s Inn
- Defence Extradition Lawyers Association (DELF)

Cases

R v RTA

[2019] UKSC 55

13 November 2019

Barristers involved: Émilie Pottle Kathryn Howarth

Supreme Court decision concerning the interpretation of article 1 of the UN Convention Against Torture. The appeal arose out of a domestic prosecution, under universal jurisdiction provisions, for offences of torture carried out during the Liberian civil war.

In this internationally significant appeal the Court found that article 1 of the Convention (as transposed into UK law) applies to those acting on behalf of non-state armed groups where those groups exercise functions normally exercised by governments over their civilian populations.

Emilie Pottle and Kathryn Howard were led by David Perry QC, and instructed by the CPS.

Publications

Criminal Judicial Review (Hart)

09/03/2020

Authors: Kathryn Howarth

This is a comprehensive guide to challenging decisions of criminal courts and public bodies in the criminal justice system using judicial review. Written by a team of criminal and public law practitioners, it considers claims for judicial review arising in the criminal justice system, which now represent a distinct area of public law. Contributing Author (Chapter on EU Criminal Law). You can view the publication at <https://www.bloomsburyprofessional.com/uk/criminal-judicial-review-9781849468305/>

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](#).

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.

TGC Welcomes Kathryn Howarth to Chambers

09/03/2020

Barristers involved: Kathryn Howarth

We are delighted to announce that [Kathryn Howarth](#) has accepted an invitation to join Temple Garden Chambers. Kathryn specialises in public international law, extradition and public law. She is a member of the Attorney General's C Panel.
