

## Ben Joyes

Junior Counsel - Under 15 Years

CALLED 2010

*"He has a deep knowledge of extradition law and fights extremely hard for his clients."*

LEGAL 500, 2025



**Ben is ranked in the [Legal 500](#) and [Chambers and Partners](#) as a Leading Junior in Extradition and International Crime. He is recommended by the Legal 500 as a “powerful advocate” with a “thorough knowledge of both international criminal law and extradition.” Similarly, Chambers and Partners describes him as “highly intelligent and motivated.”**

Ben’s practice is focused upon cases that have an international dimension. He specialises in international criminal and humanitarian law, extradition, business crime and international human rights law.

Ben has acted in some of the most high-profile international criminal cases of the last decade. In England, he regularly represents individuals and requesting states in complex extradition proceedings at first instance and on appeal. He advises multinational corporate clients and prosecuting authorities on investigations involving sanctions and cross-border corruption.

As a result of his background in global investigations and fast-paced international litigation, Ben recognises the value in taking a collaborative approach in complex, document-heavy cases. He has operated in adversarial and inquisitorial systems and, similarly, has experience

before tribunals that adhere to both the civil and common law traditions. Ultimately, Ben's broad international practice ensures that he remains a versatile advocate, both orally and on paper.

Ben is registered with the Bar Council to accept direct public access work.

## **Areas of Expertise**

- Extradition And Interpol

Ben is a specialist extradition barrister with a busy practice that sees him appear regularly before the English courts at all levels.

Ben recognises the importance of providing prompt advice to achieve the best possible outcome at the extradition hearing. Calling upon his extensive international network, Ben advises on the instruction of experts to provide evidence in court or to progress matters in foreign jurisdictions.

Ben frequently appears in leading extradition appeals. Recent notable High Court cases have concerned Art. 3 ECHR and prison conditions in requesting states, specialty protection, the right to retrial, and the applicability of judicial review principles to decisions made by first instance extradition courts.

Ben has a strong track record representing clients at first instance and on appeal, and he has enjoyed recent success with a broad range of arguments (see notable cases and linked articles below).

Ben also advises on matters beyond the narrow focus of extradition proceedings before the English courts, including INTERPOL, transferral of sentence to the UK, withdrawal of requests following successful challenge, and import extradition. Recent successes arising out of Ben's advisory practice include both the withdrawal of an EAW/INTERPOL notice by the Gibraltar authorities, and the rejection of a high-profile Romanian extradition request by a court in Greece.

- International Crime

Ben has significant defence experience before the international tribunals, most notably in seminal cases before the International Criminal Court. He is comfortable dealing with the vast volumes of evidence that are commonplace in international litigation. Experienced operating in hostile conditions, he conducts sensitive defence investigations with care and precision. In both Kenya and Cambodia, Ben interviewed sensitive witnesses and provided legal assistance to police, military and communications experts. He has worked closely with intelligence professionals on the collection and analysis of complex financial and communications evidence. He was recently instructed to advise and represent an individual summonsed by the Specialist Prosecutor's Office and the Kosovo Specialist Chambers.

Ben has been appointed to the lists of counsel of both the International Criminal Court and the Kosovo Specialist Chambers. He also appears on the List of Legal Consultants of the Extraordinary Chambers in the Courts of Cambodia.

- Business Crime And Sanctions

Ben's white-collar practice focuses on cross-border investigations involving business crime and fraud.

He has advised investigating authorities and corporate clients on sanctions and corruption-related investigations initiated by the Serious Fraud Office, Financial Conduct Authority, US Department of Justice and the Office of the Attorney General of Switzerland. He has experience advising on and challenging sanctions designations issued by a range of entities, including the UN, UK (OFSI/FCDO), US (OFAC) and EU.

Ben has extensive expertise in disclosure in complex fraud cases. For several years, he was instructed by the Serious Fraud Office to lead a disclosure team in a document-heavy prosecution brought under the Bribery Act 2010 and the Proceeds of Crime Act 2002.

Ben appears on the SFO Advocate Panel (C Panel).

- International Human Rights And Capacity Building

Ben has expertise in regional tribunals, including the European Court of Human Rights, Court of Justice of the European Union, African Court on Human and Peoples' Rights, the African Commission on Human and Peoples' Rights and the Southern African Development Community Tribunal.

Ben provides practical advice on investigations, as he has significant experience managing projects concerned with the documentation and analysis of potential breaches of international human rights law. Once proceedings have commenced, Ben is able to draw upon his considerable experience before the international tribunals to ensure that all applications – whether oral or written – are prepared and delivered with forensic precision.

Ben has significant experience conducting capacity building projects overseas. He has designed and delivered training courses on human rights, fair trial standards and ethics for the benefit of judges and lawyers based in the Middle East. Ben also spent time at a human rights organisation in Phnom Penh, Cambodia, where he helped to develop a nation-wide trial monitoring project and advised on land rights and land-grabbing.

## Notable Cases

Extradition

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## **Spain v DB [2024]**

Reissued extradition request found to constitute abuse of process following *Rymarski v Poland* [2023] EWHC 3389 (Admin).

See article [here](#)

## **Stojcevic v Croatia [2024] EWHC 1477 (Admin)**

Successful appeal against Croatian war crimes extradition request.

See article [here](#)

## **Hungary v L [2024]**

Extradition successfully resisted on proportionality grounds.

See article [here](#)

## **Rymarski v Poland [2023] EWHC 3389 (Admin)**

Sole counsel on appeal for the Appellant. The decision is of wider significance, as it provides guidance on when a reissued extradition request will amount to an abuse of process. Ben argued that an order for Mr Rymarski's extradition on a reissued request was an abuse of process, as he had been discharged in the first set of proceedings under s.20 EA 2003 on materially identical facts. In essence, by electing not to appeal and instead issuing a fresh request, the CPS had unfairly circumvented the appeal criteria under s.28 and s.29 of the Extradition Act 2003 and *Hungary v Fenyvesi* [2009] EWHC 231 (Admin). Allowing the appeal, Johnson J held that a second set of extradition proceedings based on the same offence and materially identical facts were an abuse of process. Applying *Jasvins v Latvia* [2020] EWHC 602 (Admin), the Court held that the second proceedings were a re-run of the first and a collateral attack on the first judgment.

[Link to judgment](#)

## **Dobrowolski v Poland, 2023 - EWHC 763 (Admin)**

Successful appeal against extradition, in which the High Court clarified the significance of Polish early release provisions in the context of Article 8 ECHR.

[Link to judgment](#)

[CrimeLine article](#): A case comment on Dobrowolski v Poland [2023] EWHC 763 (Admin)

### **Stafi v Romania, 2023 - EWHC 429 (Admin)**

Successful appeal concerning retrial rights in Romania under s.20(3) EA 2003.

### **Sikora v Poland, 2022 - EWHC 3516 (Admin)**

Successful judicial review of decision of first instance extradition judge to proceed to a full extradition hearing in the absence of the requested person.

### **Marinescu and Others v Romania, 2022 - EWHC 2317 (Admin)**

Divisional Court case considering Article 3 ECHR and Romanian prison conditions.

### **Nonea v Romania, 2021 - EWHC 69 (Admin)**

Case considering the impact of Enasoae v Romania in the context of specialty (section 17 of the Extradition Act 2003) and the disaggregation of sentences in Romanian courts.

### **Marinescu, Rusu & Varlan v Romania [2022] EWHC 2317 (Admin)**

On appeal: led by Ben Cooper KC for the Second Appellant Sole counsel at first instance. Marinescu is currently the lead case on Romanian prison conditions. It was argued that the standard Romanian prison assurance failed to protect against a violation of Article 3 under the second limb of Mursic v Croatia 7334/13 (22.10.2016), i.e. due to poor material conditions. The Romanian authorities subsequently served an updated guarantee stating that sentences will “be served in conditions that respect human dignity”. This new assurance offers a broader guarantee than the previous standard form; it was characterized as a guarantee of compliance with Article 3 by the Divisional Court. This case established a new standard for Romanian assurances, and the Romanian authorities are now required to provide this enhanced guarantee in all extradition cases.

[Link to Judgement](#)

Article in CrimeLine Extradition Hub: [Promising dignity: Romanian prison conditions](#)

### **Greece v Hysa and Others, 2022 - EWHC 2050 (Admin)**

Successfully defended CPS appeal against District Judge’s decision to discharge client due to insufficient personal space in multioccupancy cells at Thessaloniki Prison

### **Romania v ZY, 2022**

Advised Mr ZY's Greek legal team in respect of politically motivated extradition request issued by Romania. On appeal, the Athens Court refused to extradite Mr ZY. Athens Court of Appeal

### **Litwinczuk, Lukaszek & Tadaszak v Poland, 2021 - EWHC 2735 (Admin)**

Lead case on Polish prison conditions and Article 3 ECHR.

### **Enasoiaie v Romania, 2021 - EWHC 69 (Admin) A.C.D. 37**

Lead Divisional Court case considering specialty (section 17 of the Extradition Act 2003) and the disaggregation of sentences in Romanian courts.

### **R (Klocek) v Westminster Magistrates' Court, 2020 - EWHC 1632 (Admin)**

Divisional Court case considering the 'exceptional' nature of the remedy of judicial review in extradition proceedings.

### **Celczynski v Poland, 2019 - EWHC 3450 (Admin), 2020 - 4 W.L.R. 21, 2020 - A.C.D 27**

Case considering the extent of the High Court's judicial review jurisdiction in extradition proceedings.

#### [Extradition](#)

#### International Crime

#### **The Prosecutor v. Dominic Ongwen - International Criminal Court:**

Ben was engaged as a legal consultant for the defence team representing Dominic Ongwen, the first former child soldier to be tried at the Court.

News story [here](#)

#### **Case 004/02 - Extraordinary Chambers in the Courts of Cambodia**

Instructed as legal consultant to represent Ao An, an alleged former Khmer Rouge leader accused of genocide, crimes against humanity and violations of the 1956 Cambodian Penal Code. On 10 August 2020, the Supreme Court Chamber of the ECCC issued a [landmark ruling](#) terminating the proceedings against Ao An. Following 13 years of investigation, the Court could not agree that it had jurisdiction to prosecute Mr Ao An.

#### **The Prosecutor v. Uhuru Kenyatta - International Criminal Court**

Acted as long-term member of the defence team that represented Uhuru Kenyatta, the former President of Kenya, before the ICC. Ben played a key role in laying bare the investigative flaws in the Prosecution's case that eventually led to the withdrawal of all charges and the [termination of the case against President Kenyatta by Trial Chamber V\(B\)](#).

## [International Crime](#)

# Achievements

## Memberships

- CPS

### Specialist Extradition Advocate Panel

- Serious Fraud Office

### Advocate Panel

- International Criminal Court

### List of Counsel

- Kosovo Specialist Chambers

### List of Counsel

- Extraordinary Chambers in the Courts of Cambodia

### List of Legal Consultants

- Defence Extradition Lawyers Forum

### Committee Member

- International Bar Association War Crimes Committee

### European Liaison Officer

## Appointments

- CPS Specialist Extradition Advocate Panel (Grade 3)
- Serious Fraud Office Advocate Panel – C Panel
- International Criminal Court – List of Associate Counsel

- Kosovo Specialist Chambers – List of Counsel
- Extraordinary Chambers in the Courts of Cambodia – List of Legal Consultants
- Defence Extradition Lawyers Forum - Education Secretary
- International Bar Association War Crimes Committee - Treasurer