George Hepburne Scott

Year of call: 1999
Year of silk:

A force of nature. George has a very quick mind and an electric personality, and is great fun to work with

Giles Bark-Jones, Principal, Bark & Co, a ‘Top Tier’ Legal 500 Firm

About

George is a well-established barrister with an excellent reputation for his specialist knowledge of extradition law and human rights, advocacy and drafting. His background is in serious crime; in this context George has acted in cases of terrorism, murder, drug conspiracies, serious sexual offences and other serious crime. As can be seen below, George has a particular expertise in extradition appeals and securing bail in extradition proceedings. George is highly experienced at conducting extradition proceedings under Part 1 and Part 2 of the Extradition Act 2003. He has represented numerous individuals before the Westminster Magistrates Court and the High Court. George can provide informed advice and effective advocacy at each stage of proceedings.

George relishes advocacy in all its forms, whether addressing a jury, the Court of Appeal, High Court or a District Judge and believes that practising across a number of different fields and forums is a positive advantage in keeping advocacy skills sharp and legal thinking flexible. George also has considerable experience in civil claims and frequently advises on quantum and liability in tort and contract claims including (i) claims arising from undisclosed commission and (ii) claims arising from negligent / unlawful cavity wall installation. George has published and lectured extensively on extradition. George is accredited as a Barrister Pupil Supervisor. George is authorised to conduct litigation. George is Public Access qualified. Recent extradition cases:

On 22 March 2021, Georges client, P.T. was discharged by a District Judge at Westminster Magistrates Court following a contested extradition hearing earlier in the month. At the hearing, the defence team led by George had raised issues under the Extradition Act 2003 as follows: s.2 (was Poland to still be considered a judicial authority, s.14 (passage of time), s.20 (trial in absence), and Article 8 of the European Convention of Human Rights. Ultimately, the District Judge discharged R.T. purely on Article 8 grounds on the basis on the nature of the offending, the age of the offending (18 years old) and the impact of extradition upon P.T. and his wife.

On 18 March 2021, George Hepburne Scotts client, B.F, an Antiguan national, was sensationally discharged from his part 2 extradition proceedings at Westminster Magistrates Court following a contested case. B.F. had been arrested at Gatwick airport on 20th January 2020. He was arrested on provisional warrant issued by the National Crime Agency under s.74(B) of the Extradition Act 2003 pursuant to an Interpol Red Notice issued by the USA. The allegation was that B.F.had committed an offence of possession of a firearm (.32 calibre revolver loaded with two .32 calibre rounds), had been bailed in New York and then, 24 January 1991, failed to appear at his hearing. The extradition proceedings had then commenced at Westminster Magistrates Court. Upon further examination by the defence team led by George Hepburne Scott, it transpired that the Red Notice was not applied for until 4 February 2015, some 24 years after the US domestic warrant was issued. This gave rise to powerful arguments that the passage of time and culpable delay
had fundamentally undermined the extradition request: B.K.s life had profoundly changed in the period; he had led a blameless life including having been employed as a police officer in Antigua. The defence therefore made repeated and powerful representations to the relevant US District Attorney in New York through the Crown Prosecution Service International Justice and Organised Crime Division. This persistence finally paid off when the US confirmed on 17 March 2021 that it was no longer pursuing the case against B.F. and he was sensationally discharged and released on 18 March 2021. On 26 February 2021, in the case of Poland v R.G. Georges client was triumphantly discharged on the European Arrest Warrant that he faced for a historical conviction in Poland. Following a fully contested hearing and complex legal argument, the District Judge ruled in favour of Georges client and rejected Polands claim for extradition on Article 8 grounds. The client was naturally overjoyed.

On 24 August 2020, in the case of Hungary v TK, George secured a discharge of his client at Westminster Magistrates Court on a Hungarian EAW relating to multiple thefts from employer. Georges client was a Hungarian national. The District Judge discharged Georges client on this occasion. On 25 August 2020, in the case of Greece v AS, George secured the discharge of his client at Westminster Magistrates Court on a Greek EAW alleging cannabis cultivation. Georges client was an Albanian national. The District Judge discharged Georges client on this occasion. On 4 September 2020, in the case of Greece v RK, George secured the discharge of his client at Westminster Magistrates Court again on a Greek EAW this one alleging large scale drug trafficking. The client was an Irish National. On this occasion the Deputy Chief Magistrate of England and Wales discharged Georges client. On 11 September 2020, in the case of Belgium v SH, Georges client, an Albanian national, was sensationally discharged on a Belgian EAW alleging triple-murder. The client was discharged following complex legal argument regarding reopening the identity issue after the initial hearing. On this occasion the client was discharged by the District Judge.

Member of the Criminal Bar Association

Member of the Extradition Lawyers Association

Cases of note

R v AC [2017] EWCA Crim 2383
Appeal Against Crown Court Sentence bailii

R v S [2015] EWCA Crim 1619
Appeal Against Crown Court Conviction bailii

R v RS [2015] EWCA Crim 1101
Appeal Against Crown Court Conviction bailii

R v B-R & NB [2011] EWCA Crim 1136, [2012] 1 WLR 2364
Appeal Against Crown Court Conviction bailii
R v AG [2016] EWCA Crim 140
Successful appeal against a Crown Court sentence where the sentence of 16 months immediate custody was quashed and replaced with a Suspended Sentence securing the defendants immediate release.

R v JC [2016] EWCA Crim 67
Appeal against Crown Court Sentence where the structure of the Extended Sentence was reduced on appeal.

R v DW [2015] EWCA Crim 2320
Appeal against a Crown Court sentence.

R v MS [2015] EWCA 1619
Successful appeal against Crown Court Sentence.

R v RS [2015] EWCA 1102
Appeal against Crown Court Conviction and Sentence. George was described by Leveson LJ as a powerful advocate. Bailii

Successful appeal against Crown Court Sentence.

R v D [2014] EWCA Crim 508
Successful appeal against Crown Court Sentence.

R v B [2012] EWCA Crim 1174
Successful appeal against Crown Court Conviction and Sentence.

Times April 22, 2011 Successful appeal against Crown Court Conviction. This case involved serious sexual offences and the defendants convictions and sentence were all quashed and the defendant was unanimously acquitted by the jury at his retrial.

R v R [2011] EWCA Crim 3183
Successful appeal against Crown Court Sentence. This case involved over 70 TICs for Burglary.

R v P [2011] EWCA Crim 2790
Successful appeal against Crown Court Sentence.

Attorney Generals Reference (No.34 of 2010) [2010] EWCA Crim 2055
Successful prosecution appeal against Crown Court Sentence.

R v C (Robert Norton) [2010] EWCA Crim 933
Appeal against Crown Court Sentence.

R v B [2006] EWCA Crim 1629
Successful appeal against Crown Court Sentence.

P v Court of First Instance of Brussels [2005] EWCH 915 (Admin); [2005] Extradition L.R. 62
This was one of the first major cases involving the Extradition Act 2003. This case served to limit the scope of no-evidence extraditions involving category 1 territories.

George acted for the Crown in this case which is now the leading authority on stranger kidnapping
sentences.

R v Z [2008] EWCA Crim 2169
This case involved the concept of the mercy where a terminally ill man was given a sentence that would involve his inevitable death in custody. The appeal was successful.

R v H [2009] EWCA Crim 605
This case involved the successful appeal of a sentence of 9 years for conspiracy to supply cocaine. Following extensive courtroom exchanges with Mr Justice Calvert-Smith (former DPP) the sentence was reduced from 9 to 7 years.

R v Y [2002] EWCA Crim 2815
Successful appeal of Crown Court sentence.

R v JM
The Halloween Nunchaku murder involved the murder of a 15 year old boy at a Halloween party. George was led by David Fisher QC in this notorious murder trial. BBC

R v MK
Murder case involving a dealer murdering his best-friend in a frenzied knife attack. George was led by Sascha Wass QC in this trial. BBC

R v DR
Caterham Bus Bomber: this was an allegation of a home-grown terrorist who was found to have a cache of chemical weapons at his home. George successfully defended this man and he was acquitted of all charges. BBC

R v JW (& 5 others)
Successful prosecution of multi-defendant football hooligan case involving widespread public disorder. BBC

R v TW
Successful prosecution of a serious stranger kidnapping case involving an armed stranger kidnap of young children. George was subsequently instructed by the Crown to appear in the Court of Appeal and this case is now a leading authority of Sentences for Kidnapping. BBC

R v VF
This case involved an Albanian/Chechen criminal gang selling highly sophisticated cash-point scamming kits to other criminal gangs in Wales. It attracted nationwide publicity including the front page of the Times. BBC

R v GT
George was initially instructed in this extradition of this notorious Holocaust denier. The extradition was successfully opposed. BBC

R v DS
George was instructed in this case involving the Gatwick shooter who was apprehended and Tasered by police as he wandered around Gatwick Airport brandishing a firearm. BBC

R v JR
George was instructed to defend a member of this notorious tie-up robbery gang that committed more than 12 robberies involving serious violence. BBC

R v JB
Serious historical sexual assaults in childrens home. Defendant received 20 years custody. BBC

M v Circuit Court of Katowice (Poland) [2017] EWHC 2812 (Admin)
Successful Extradition Appeal (A8) bailii

MH v Court of Milan (Italy) [2017] EW Misc 20
Very High Profile First Instance Extradition Decision bailii

C v Secretary of State for the Home Department [2007] EWHC 238 (Admin); [2007] Extradition L.R. 51
Extradition case involving Judicial Review of the Home Secretary bailii

GP v Court of First Instance Brussels [2005] EWHC 915 (Admin) [2005] All ER 185 (Apr)
Successful Extradition Appeal (s.2) bailii

S v Poland CO/213/2018
High Court appeal involving s.2 and Article 8.

K v Poland CO/198/2018
High Court appeal involving Article 8.

H v Italy CO/014/2018
High Court appeal involving kidnapping allegation.

HF v Germany CO/260/2018
High Court appeal involving multi-million VAT fraud.

B v Belgium CO/197/2018
High Court appeal involving multi-million fraud allegation.

C v Czech Republic CO/128/2018
High Court appeal involving human trafficking.

Albania v HM 2018
Part 2 case involving Murder conviction and Articles 2, 3, & 6.

Ecuador v V2018
Complex Part 2 case involving Articles 3, 6, & 8.

J v Poland CO/245/2017
High Court appeal involving multi- fraud accusation.

K v Poland CO/1783/2017
High Court appeal involving murder conviction.

M v Poland CO/1782/2017
High Court appeal involving attempted murder.

M v Poland CO/361/2017
High Court appeal involving Article 8.

D v Poland CO/1800/2017
High Court appeal involving Articles 3, 6, & 8.
T v Finland CO/5720/2016
High Court appeal involving Article 3.

M v Latvia CO/6333/2016
High Court appeal involving ss. 2, 14, 20 & Article 8.

T v Romania CO/6387/2016
High Court appeal involving s.2 & Articles 3, 6 & 8.

F v Romania CO/4311/2016
High Court appeal involving s.14 & Articles 3 & 8.

A v Romania CO/5410/2016
High Court appeal involving Articles 3 & 8.

W v Poland CO/4311/2016
High Court appeal involving Article 8.

Z v Poland CO/2245/2016
High Court appeal involving double jeopardy & A8.

D v Poland CO/4258/2016
High Court appeal involving s.14 & Article 8.

L v Poland CO/2661/2016
High Court appeal involving s.2 & Article 8.

S v Poland CO/4051/2016
High Court appeal involving Article 8.

B v Poland CO/4016/2016
High Court appeal involving ss.2, 14 & Article 8.

S v Latvia CO/2380/2016
High Court appeal involving right to re-trial s.20

W v Poland CO/2160/2016
High Court appeal involving Articles 6 & 8.

C v Secretary of State for the Home Department [2007] EWHC 238 (Admin); [2007] Extradition L.R. 51
Extradition case involving Judicial Review of the Home Secretary.